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REVIEW

NOVEMBER/DECEMBER 2005
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UNCHARTED WATERS

*The Times-Picayune's
tale of love, loss,
and a future
in doubt*

Douglas McCollam

**WORKING THE FRINGES:
HOW THE MEDIA
CAN HELP AMERICA
GET SERIOUS**

Brent Cunningham

**DOES JUDGE
RICHARD POSNER
HATE THE PRESS?**

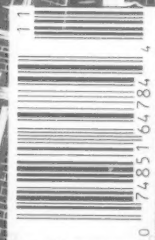
John Gluffo

**WHEN GOVERNMENT
IGNORES THE POOR,
THE PRESS
IS SURE
TO FOLLOW**

David K. Shipler

**DRUG TEST
Q: DOES THIMEROSAL
CAUSE AUTISM?
A: THE PRESS SAYS NO;
THE FACTS SAY MAYBE**

Daniel Schulman



Templeton-Cambridge Journalism Fellowships in Science & Religion



"If there's one intellectual topic that's starting to blaze red hot, it is the relationship between science and religion."

Gregg Easterbrook, *Los Angeles Times*

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Shankar Vedantam, *Washington Post*
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"It was a feast of great minds—a gift of time, access, and challenge that will influence me for years to come. Rare is the experience that so greatly exceeds expectations."

Cathy Grossman, *USA Today*
2005 Templeton-Cambridge Fellow

In 2005, the John Templeton Foundation established a fellowship program that enables ten print, broadcast, or online journalists to pursue an intensive two-month course of study in issues of science and religion. The fellowship includes three weeks of seminars at the University of Cambridge in the U.K. featuring eminent authorities in the field. Fellows will be paid a stipend in addition to expenses, including travel, for Cambridge.

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The application deadline is Thursday, December 15, 2005.

For more information, or to apply for the fellowships, go to the website www.templeton-cambridge.org

OPENING SHOT



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And Good Luck

In an "age of unreason," as Edward R. Murrow called the McCarthy era, corporate pressure and charges of bias made it difficult to broaden the journalistic mission beyond its narrowest stenographic form. But Murrow briefly did so — using television to stand up for the idea that dissent is not disloyalty. Today we face our own age of unreason in a highly charged partisan atmosphere in which "facts" can be fungible. Brent Cunningham's essay on page 52 considers how journalists might broaden the mission again and thus help the nation find creative solutions to the crises that are rolling steadily our way. In our cover story, Douglas McCollam explores the idea of journalistic mission from another angle, the symbiotic relationship between cities and their newspapers, in this case New Orleans and *The Times-Picayune*. Another aspect of mission — the reluctance of journalists to buck a cocksure establishment — is at the heart of Daniel Schulman's look at the complicated story of thimerosal, a vaccine preservative that some believe is linked to autism. And our editorial this time brings an urgent question of economics to the discussion of mission — what kind of newspaper will retain readers, and what level of investment will that require? Enjoy. **CJR**

The actor David Strathairn as Edward R. Murrow in the new film, *Good Night, and Good Luck*.

Going the Distance

In Kentucky, where thoroughbred racing is a multibillion-dollar business, racetrack workers are among the most likely to be injured on the job... and have long been among the least protected by the state. Then journalists at the Lexington Herald-Leader exposed the "dirty little secret" of Kentucky's storied racing industry.

The biggest gamblers at Kentucky's racetracks may well be the "backside" workers – low-paid grooms, hot walkers and exercise riders – who risk life and limb every day working with spirited, 1,500-pound horses.

The trainers who hire them are required to provide workers' compensation coverage. But thanks to a loophole in state laws, few do. And uncovered workers are just an accident away from losing their health, jobs and homes.

In a four part series, "Wrong Side Of The Track," journalists at the Lexington Herald-Leader focused public attention on the issue and put a human face on "the forgotten ones" of Kentucky's racing industry.

The Herald-Leader's reporting spurred action at all levels, from Kentucky racetracks to the U.S. House of Representatives, where a congressional investigation is under way. Knight Ridder. What a difference a newspaper can make.

David Stephenson/Lexington Herald-Leader

The Philadelphia Inquirer
The Miami Herald
San Jose Mercury News
Nuevo Mundo, Viet Mercury
The Kansas City Star
Fort Worth Star-Telegram
Diario La Estrella (Dallas/Ft. Worth)
The Charlotte (N.C.) Observer
St. Paul (Minn.) Pioneer Press
Contra Costa Times
Akron (Ohio) Beacon Journal
Philadelphia Daily News

The (Columbia, S.C.) State
Lexington (Ky.) Herald-Leader
The Wichita (Kan.) Eagle
el Nuevo Herald (Miami)
The (Macon) Telegraph
The (Bessemer) Statesman
Belleville (Ill.) News-Democrat
The (Myrtle Beach, S.C.) Sun News
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The (Bradenton) Herald
Duluth (Minn.) News-Tribune

(Wilkes-Barre, Pa.) Times Leader
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The (Olympia, Wash.) Olympian
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— From the founding editorial, 1961

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COVER: DAVID G. KLEIN

"Liebling likes his characters fat and sassy, and Earl's oversized personality and intemperate appetites struck a chord."

— Evan Cornog, p. 57

"... worth it for the story ideas alone, but I came away with new sources, new perspectives and new friends." —Michelle Washington, *The Virginian-Pilot*, Norfolk, Va.

"engaging" "... most engaging reporting seminar I've ever attended." —Gene Johnson, *The Associated Press*, Seattle

"stimulating" "... stimulating lectures and some great insights into how to make your coverage stronger ... I found a host of new sources and developed story ideas in the span of mere days." —Mary Pflum, *ABC News/Good Morning America*

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LETTERS

THE FITTEST COVERAGE?

The evolution wars are a tricky business, not least because coverage requires reporters to dive into a pool of politics, culture, religion, and, yes, science. No doubt there is much to be wary of, not least our own ignorance.

But your recent critique (CJR, September/October) was deeply flawed. I should note my own self-interest. I've written a bit on intelligent design and I labor at *The Washington Post*, which took a few hits — most of them silly — in this piece. The authors of the CJR piece, Chris Mooney and Matthew Nisbet, complain that an article by my colleague, Peter Slevin, "conspicuously failed to provide any background information on the theory of evolution" and why it's a bedrock of science. They rely on that favorite of accountants: counting paragraphs.

So they report with great seriousness that twenty-one of the article's thirty-eight paragraphs were devoted to "strategy" framing. Good God! But here's the rub: Slevin's piece — one of a series that he's written on intelligent design — was explicitly not focused on science. He was examining how "anti-evolutionary scientists and Christian activists" have driven a nationwide campaign that has "policymakers in nineteen states . . . weighing proposals that question the science of evolution." Slevin notes that "the growing trend has alarmed scientists and educators who consider it a masked effort to replace science with theology," and illuminates how some Republicans would use the No Child Left Behind Act to ram through the teaching of intelligent design.

Count me a fool but this seems a worthy topic of inquiry.

The authors also overstate the settled nature of evolutionary theory. They insist that comparative anatomy long ago revealed structural similarities in related organisms. Well, yes and no. The prominent Cambridge scientist Simon Conway



Morris argues that such similarities also exist in very distant species, and that these features are suggestive of a theological architecture to evolution. The authors also say science has explained how chance mutation works in evolution, which would have come as a great surprise to the late, great evolutionary biologist Stephen Jay Gould.

A word, too, on Mooney/Nisbet's notion that a well-educated cadre of science reporters would set this right. In the case of *The Washington Post*, unfortunately, our science writers failed to write a single word about intelligent design, perhaps assuming that this is settled territory. The ostrich can take comfort that it has evolved a long neck to better hide its head in the sand. That's not advisable for reporters.

Michael Powell
New York bureau chief
The Washington Post
New York, New York

Chris Mooney and Matthew Nisbet started a recent CJR story with a complaint by a *Washington Post* science reporter that an ambitious story I wrote in March about the politics of the religious right and the intelligent-design movement contained too little science. The critics felt it was not

clear enough to tell readers — in the third paragraph, no less — that scientists consider intelligent design "a masked effort to replace science with theology."

Despite the authors' fears, a regular *Post* reader would be hard-pressed to read this year's coverage and miss the fact that mainstream science considers the case for evolution settled. Yet Mooney and Nisbet extrapolate step by step to conclude that it is the "nature" of political reporting to cover science "without comment or knowledgeable analysis, leading the readers to fend for themselves."

Leaving aside the telling detail that it was largely nonscience reporters who first recognized the importance of the ID movement, one wonders about the authors' claim to have drawn their conclusions only after "systematically reading" seventeen months of coverage. It neatly serves their purpose to praise a science reporter for writing that the scientific establishment sees no controversy in evolution. Yet they chose not to mention a 1,500-word story I wrote about the forces mobilizing to stop intelligent design, in which I dispute the existence of a "controversy" as posited by ID advocates.

Mooney and Nisbet should remember what scientists and even scientifically untrained writers know: It is never wise or fair to omit evidence that casts doubt on your conclusions.

Peter Slevin
Chicago bureau chief
The Washington Post
Chicago, Illinois

In their article about intelligent design, Chris Mooney and Matthew C. Nisbet seem to argue that it's a journalist's duty to promote atheism. They appear to argue that we should ignore any idea that doesn't come straight from the pages of a scientific journal.

As a born-again Christian and twenty-year newspaper veteran, I've witnessed

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faith in action and science in action. I'll stand on the side of faith.

Surveys continue to show that nine out of ten Americans — our readers and viewers — believe in God. Overwhelmingly, those who believe in God believe that he acts in the world. That's why they pray. If God acts in the world now, he obviously acted during its creation — as its intelligent designer. It would be ludicrous to believe that God just happened to stumble upon a universe that had created itself and decided to rule it. The only other option is to believe that God doesn't exist.

Brian Bowers

Assistant managing editor

for features

Stars and Stripes

Washington, D.C.

Chris Mooney and Matthew C. Nisbet respond: In response to Bowers: Our article had nothing to do with atheism. You mistook its point, and we reject your attempt to create an unnecessary opposition between faith and science.

As to the letters from Powell and Slevin, we're afraid that they seem to be talking right past us.

Nothing that Powell or Slevin writes contradicts what we said in our article. In fact, we even agree with them that strategy-driven coverage has provided readers with important details about the tactics, fund-raising, and communication efforts of the ID movement. Nevertheless — and while notable and praiseworthy exceptions may exist — as an average trend across coverage we see precisely the kinds of problems that we (and others) noted in Slevin's front-page article in the Post: writers focusing too much on the political fight while failing to provide background for their readers about the overwhelming scientific consensus supporting evolution.

The ID controversy is just one among many public-affairs issues where facts and evidence have been manipulated in the service of ideology. We hope that our article has cast

additional light on the need for journalists to more accurately cover a political conflict like ID, where there is a clear scientific standard by which to evaluate many claims, instead of defaulting to a "he said-she said" style of reporting.

ENGAGING BECKERMAN

In "Disengaged" (CJR, September/October), Gal Beckerman reports that Israeli journalists not only played down Sharon's corruption scandals so as not to interfere with the disengagement, but that they openly acknowledged what they were doing. *Haaretz* editor David Landau's statements are presented as such an admission. My strong guess is that the author of this piece either knowingly misrepresented Landau's remarks or badly misunderstood them, because 1) I don't believe Landau or any *Haaretz* editor-in-chief would practice such grossly dishonest journalism, and 2) it doesn't make sense that anybody dishonest enough to do so would then turn around and admit it in print. If anybody's that dishonest, nobody's that dumb. Trying to read between the lines, I think Landau might have been describing his own political opinion of Sharon: that even though he deplores Sharon's corruption, he wants Sharon to continue in office because of the overriding importance of disengagement. (I feel the same way.) In addition, there is no quote from Landau in "Disengagement" that backs up the implication that *Haaretz's* coverage of Sharon's corruption was guided by Landau's or anybody else's view of disengagement.

Larry Derfner

Columnist

The Jerusalem Post

(competitor of *Haaretz's*
English-language edition)

Modi'in, Israel

Gal Beckerman's comparative youth is showing; his article about Israeli media during the intifada lacks historical understanding and context. In a country at

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David Badders



Jean Krejca, co-owner of Zara Environmental, studying rare creatures in Tooth Cave near Austin, Texas.

Gilbert W. Arias

Reporters had to dig deep to uncover plans threatening endangered species.

Would a federal "habitat conservation plan" for Washington state protect endangered species or destroy them? Seattle Post-Intelligencer reporters Robert McClure and Lisa Stiffler, and editor Bill Miller, tackled this complex story that affects the Seattle area as well as the rest of the country.

The P-I three-part series "A License to Kill" was based on national field research as well as an in-depth review of documents secured through the Freedom of Information Act. The reporters evaluated all 98



From left: Lisa Stiffler, Environmental Reporter | Robert McClure, Environmental Reporter | Gilbert W. Arias, Photographer | David Badders, Graphic Artist

of the nation's largest and most recently approved conservation plans. It was the first time that anyone – in the government or in journalism – has taken on this massive task. The full series is online. Go to seattlepi.nwsource.com/specials/licensetokill

The P-I team discovered that the government "conservation" strategy protected private real estate investors at the expense of endangered species. The Washington state habitat plan is still under consideration, but readers have made it clear that they want more accountability. Helping communities better understand the environment is one more way Hearst Newspapers deliver excellence every day.




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war for survival, media do not usually make heroes of the enemy or show compassion for those who are killed. Beckerman might review American media during our battle for survival during World War II and see if he can find any compassion for those suffering in the German cities we bombed mercilessly and thankfully, in any of the Japanese cities we firebombed, or in the battle of Midway or in any other battle against the enemies. In World War II, no American commentator would have dared to produce a five-part print or radio script depicting the plight of our enemy population as did the leading TV Israeli commentator. Finally, Beckerman might search Palestinian and all Arab media for any compassionate, understanding report during the last fifty years, not just during the intifada, about Israel and the Holocaust and the reason for Israel's creation.

Jerry Steinman
West Nyack, New York

Gal Beckerman responds: Derfner should trust his own eyes. There is no need to "read between the lines." David Landau did indeed admit: "I subjugate, consciously." I don't know how much more unam-

biguous than that one can get. Landau was describing to me a conversation he had recently had with a Likud politician who confronted him with the allegation that Haaretz was going easy on Sharon. The Haaretz editor said he wakes up every morning and wonders whether this is true. And his answer: yes, it is. I'm sorry, Derfner. Landau is neither dishonest nor dumb. Maybe just honest to a fault.

As for Steinman: Let's put aside his false historical analogies — the Palestinians are neither the Nazis nor the Japanese. He suggests that I think the Israeli media should "make heroes of the enemy or show compassion for those terrorists who are killed." This was not in the least bit what I was implying Israel's press should have done during the recent intifada. The press has a responsibility to understand, to explore, to illuminate. These activities do not equal justification or glorification. A journalist, especially in such a highly charged and emotional situation as war, has to transcend the often-reactionary national mood, and instead apply dispassionate analysis and sensitivity, to give us a full picture of the situation. And, yes, sometimes even try to understand the enemy as human.

edness, and interactivity. It's about making the column the property of the reader, not just the writer. It's about opening your doors — and your head — to the possibility that a reader might have a real good column idea, and it might be about a mailbox or a colliie, not about September 11. It's about having a sense of humor, above all.

Tellingly, Twomey rings the gong for Royko and Breslin. But he never mentions Herb Caen, the greatest metro columnist of them all. Herb was never arch. He never tried to use his column to make the State Department quiver. He loved his town and wasn't afraid to show it. He didn't use San Francisco as a foil, or a point of departure. He was of it, not above it. He would be a smash today for the same reasons he was a smash then.

Bob Levey
Metro columnist (retired)
The Washington Post
Chevy Chase, Maryland

HIGH MARKS

The piece by Bill Putnam, "My Aim Is True: A Soldier/Journalist's Inner Conflict" (September/October, CJR), is military journalism at its finest, even if it wasn't published until after he left active service.

Charles A. Krohn
Burke, Virginia

NON-SUPER DART?

Your September/October Dart to *The Sacramento Bee* for its front-page coverage of a significant business move by Raley's super-market (GROCER OFFERS PERMANENT MARKDOWNS) was off the mark. When one of the region's biggest locally owned businesses does a dramatic strategy change because of new competition from Wal-Mart and other competitors, that is important to local readers.

Bill Halldin
Rocklin, California

DEAD ON

Congratulations for the splendid piece by Paul McLeary on Steve Miller's obits (September/October, CJR). Too many newspapers relegate their minor reporters to the obits when it should be an art form taken very seriously.

Truman Temple
Santa Fe, New Mexico

CORRECTION

Because of an editing error, the article titled "The Line on Sex" (CJR, September/October) mistakenly identified the abortifacient RU-486 as "the morning-after pill." In fact, "the morning-after pill" — also called Emergency Contraception (EC) — is a hormone that acts to prevent pregnancy from occurring, while RU-486, a synthetic steroid that is also known as Mifeprex, is taken to end the pregnancy cycle after fertilization has occurred. As reported in the article, David Hagar did work to block the distribution of RU-486, as well as "the morning-after pill," but the two drugs are not one and the same.

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WHERE'S HERB?

In his lament for the supposedly missing metro columnist ("The Case of the Vanishing Columnist," CJR, September/October), Steve Twomey swings and misses.

Being a metro columnist in 2005 is not about raining opinions down upon the unsuspecting. Nor is it about being the seventh person from the same newspaper to pile onto the hot story of the day. Nor is it a matter of how cutely or acridly you can render a thought. It's about originality, connect-

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Tom Arviso had done it all at the Navajo Times - sports writer, reporter, editor, general manager.

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on a John S. Knight Fellowship, intent on
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*"While I was
at Stanford,
everything fell
into place.
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I gained good
knowledge from.
I got good advice
not only at Stanford,
but from people
throughout the area."*

TOM ARVISO
PUBLISHER, NAVAJO TIMES



PHOTO BY PAUL NATONABAH
NAVAJO TIMES

EDITORIAL

SOMETHING TO DISCOVER

The American newspaper at a crossroads

A reporter we know who has worked for years at a major American newspaper took a leave of absence recently, more or less to take stock of her life. She found herself also taking stock of her newspaper. On the job, she read it cover to cover; off the job, far away from the newsroom, she found herself starting to read much less of it, even though it is a very good newspaper. Life intruded, and like many Americans these days she found that she was drawn only to stories that were compelling or interesting or that mattered. Large swaths of stories didn't qualify. They felt "confined"; they had, in her words, "nothing to discover."

The good news for newspapers in this country is that they make good money. According to Morton Research Inc., John Morton's Maryland media consulting firm, the weighted average of profit margins for the newspaper divisions of major media companies was 13 percent in 1991. It had climbed to nearly 20 percent last year — more than double the average profit margin of the Fortune 500.

The bad news, as CJR readers know too well and hear too often, is that readership has been in decline for years and that this decline is accelerating, as the latest figures from the Audit Bureau of Circulations show. With the dream of circulation growth receding, owners try to keep their stock prices up by maintaining high profit numbers, and they increasingly do this by cutting back on expenses — resources and staff. This can work for a while, but at some point it has to erode the quality of the product, which further erodes readership, because who needs a paper when the reporters producing it are too rushed to get beneath the surface? When editors are too fearful and squeezed to be creative? A vicious circle spins faster.

Inside our newsrooms we've been hearing a lot lately about greedy owners and how they are bringing newspapers down. It's not that simple, of course. Readership has also been slipping at papers with owners who treat newsrooms well, such as *The*

Washington Post. A great shift in how people get their news and spend their time is under way. Much of this is beyond our control.


But not all of it. And crisis can bring opportunity. Take a look at the front page of your newspaper today. How many stories are on events that the average reader has already heard something about? The Metro section, is it riveting and creative?

Or incremental and cramped? Does the paper have strong voices? Does it provide the kind of context that cuts through the fog of information? Does it have any fun? Does the photography speak volumes? Does the Web site offer more than digital newsprint? Can a reader get into the conversation? Do you want to read this newspaper?

It's easy to sit and type such questions, harder for editors and owners to address them in today's environment. We include owners because the journey toward the kind of newspapers that will gain and keep readers requires the kind

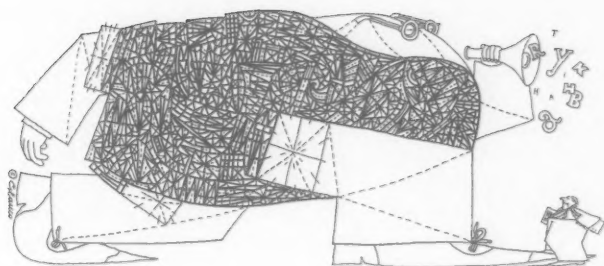
of stories that our colleague was drawn to when she stepped into civilian life, and these stories take time and creative effort, and thus money. They can't be done consistently on the cheap. Reporters need time to gain authority. Editors have the daunting job of nourishing a market for quality and owners have the job of risking some chips on that effort, in the hope that enough of this market can be sustained. It's a chicken and egg conundrum, a gamble all around.

But worth it. The nation has serious problems. It needs a great civic conversation, and to fuel that conversation it needs the kind of reporting and analysis that newspapers, with their firepower and traditions and reach, are still the most capable of providing, despite a cornucopia of new media.

If the civic argument doesn't persuade, however, let's consider economics, because the glide path that so many owners are on simply won't yield today's profit numbers once there is nothing left to cut. Then everybody — journalists, readers, and, yes, even stockholders will be the poorer. 



VOICES



GLAUCO DELLA SCIUCCA

BY DAVID K. SHIPLER

MONKEY SEE, MONKEY DO**If pols ignore poverty, the press does, too**

There is no more telling indictment of reporters and editors than the surprise felt by most Americans in seeing the raw poverty among New Orleans residents after Hurricane Katrina. In an open society, nobody who had been watching television or reading newspapers should have been surprised by what Katrina "revealed," to use the word so widely uttered in the aftermath. The fissures of race and class should be "revealed" every day by America's free press. Why aren't they?

We used to cover poverty. Maybe my lenses are fogged with nostalgia, but I remember my years in the late 1960s and early 1970s on the metropolitan staff of *The New York Times* as an era of acute attention to the problems of the city's poor. The civil rights movement and the urban riots had raised the country's consciousness. Many beats — mine was housing — carried a hard-working staff into the bleakest neighborhoods where vocal community organizations and welfare-rights activists pressed their arguments.

As Great Society funds flowed from Washington, local government could hardly avoid the issues of poverty — and neither could we, because then as now, news organizations covered mostly government. From the mayor's office to the city council, the planning commission, and other agencies, poverty and race were woven into the public agenda. Stories were easy to get.

It is an axiom of democracy that government

should not escape scrutiny, and it's a principle of journalism that what government does is news. Policies and programs generate stories about the problems designated for resolution, the gaps between promises and performance, the demands from below on those in power, the underlying politics and economics.

By contrast, what government fails to do is usually not defined as news. But it should be, for neglect is a form of policy, too. When government ignores a problem, the problem festers and usually fades into the shadows of coverage until a Hurricane Katrina ravages New Orleans or a riot tears through South-Central Los Angeles. If the White House pursues an issue, either at home or abroad, the bright searchlight of attention focuses for a while, and once the beam swings away, the subject disappears. When was the last time you saw a story about Nicaragua? Or Kosovo? Eventually, when American troops leave Iraq, most American correspondents will leave with them, just as most American reporters left the suffering ghettos of America's inner cities as the War on Poverty subsided during the 1970s into a stalemate of deprivation.

News professionals bridle at the notion that government sets their priorities, but they've allowed that to happen indirectly. In newspapers and broadcasting, the only sustained coverage of poverty in the decade before Katrina, most notably by the *Times* reporter Jason DeParle, was stimulated by a government move: federal welfare reform in 1996. Otherwise, the press still finds it hard to cover poverty when the story is not about change or action but about enduring hardship and government inaction. The main exceptions have been the recent series on class and poverty, including those

by the *Times*, the *San Francisco Chronicle*, *The Wall Street Journal*, the *Los Angeles Times*, North Carolina Public Radio, and the Washington, D.C., public radio station WAMU.

You might imagine that reporters and editors who spend months on a series would grow attuned to issues that would then seep into daily coverage. I haven't done a content analysis, but I don't think it happens. The big projects seem isolated from the flow of other reporting. In years of exploring race and poverty throughout the country, I've rarely felt a sensation of familiarity, as if I've read this somewhere or heard that before. The landscape I've found is mostly terra incognita to the major news organizations on which I rely.

That explains the nation's shock after the hurricane.

The deep suspicions of authority among impoverished African Americans — the distrust of police, politicians, and even rescue workers — would not have puzzled anyone who has worked on racial is-

Good coverage would connect the dots by demonstrating the influence of one problem on another.

sues, and it should not have amazed a literate public educated by solid reporting on racial tensions and injustices. Surely it was no revelation to those who work in nonprofit antipoverty agencies that many of the poor lived in neighborhoods most vulnerable to flooding but could not evacuate because they had no car, no place to go, no credit card for a motel, or — even if they owned vehicles — too little money for a tank of gas.

Unfortunately, people who staff antipoverty programs hardly ever get interviewed, although they're primary sources of nonideological information about the grass-roots problems of the poor. Many of these workers, once poor themselves, transcend the liberal-conservative political dispute about who's at fault and see clearly the intersecting factors of personal failure and societal failure that create the ecology of poverty.

If reporters spent time at job-training centers, malnutrition clinics, legal-aid offices, housing agencies, and the like, they would get more powerful stories in a week than they could write in a month — not about the programs themselves, not the puff pieces that program directors who compete for funding would prefer, but rather about the problems the programs aim to solve. Good coverage would also connect the dots by demonstrating the influence of one problem on another and the links among problems and policies.

Such sophisticated, nuanced, and complex portrayals of poverty would enrich understanding beyond

the conventional left-right debate that dominates political coverage whenever a bill is introduced or a grand plan is proposed. Much reporting on welfare reform was driven by the assumption that moving from welfare to work meant success; too little light was shed on the poverty wages that were being paid, which trapped former welfare recipients in the same zone of low living standards where they had resided before. Reporting on poverty, then, means diagnosing it, which will help this society be self-correcting. You can't solve a problem unless it's defined.

Without covering the subject well, news organizations risk becoming irrelevant to professionals who need information and now have the Internet. When President Bush's current budget was proposed, I searched my favorite newspapers in vain for details on cuts in poverty programs. I finally obtained them from a nonprofit agency in Hartford, Connecticut, which relied on an Internet subculture of analysts and advocates to do what the press didn't do.

Would thorough coverage make a difference? After the public editor of *The New York Times*, Byron Calame, examined a decade of the paper's reporting on New Orleans and found nothing that "focused on the city's poor and the racial dimension of poverty," a former resident, Jose Heinert, offered a cynical reaction in a letter to the editor.

"Poverty there was almost totally ignored by those in the white community," he wrote. "It was like two parallel worlds, not unlike what I have seen in undeveloped countries. The *Times* can write articles about it every day. But nothing will change, I'm sorry to say."

Perhaps he's right, and the open secret of poverty will not be acknowledged by the more affluent and powerful. We are in a new Gilded Age of huge disparities between rich and poor, a startling display of greed. But alongside the greed stands a towering generosity that is mobilized whenever a catastrophe occurs, be it a tsunami in Asia or a hurricane at home. In traveling the country, I have found powerful currents of concern among Americans of privilege, most of whom raise their hands when I ask who would be willing to pay higher taxes to fight poverty.

Katrina, then, has offered an opportunity for the press to rethink its inattention to a national disgrace. No problem gets cured unless it is first turned out into the sunlight. ■

David K. Shipler, a Pulitzer Prize-winning author, worked for The New York Times from 1966 to 1988, reporting from New York, Saigon, Moscow, Jerusalem, and Washington. His most recent books are The Working Poor: Invisible in America and A Country of Strangers: Blacks and Whites in America.

BY MORTON MINTZ

HAIR-TRIGGER NUKES

When 'he said-she said' matters

The reporting that allows Washington officials to set the agenda for journalism — derided in the trade as stenography — was condemned by Bill Moyers in a widely acclaimed address last May. The press is led “all too often simply to recount what officials say instead of subjecting their words and deeds to critical scrutiny,” he told the National Conference on Media Reform in St. Louis. “Instead of acting as filters for readers and viewers, sifting the truth from the propaganda, reporters and anchors attentively transcribe both sides of the spin, invariably failing to provide context, background or any sense of which claims hold up and which are misleading.”

This critique contains a paradox that's worth examining: the journalism that does not simply recount “what officials say,” or that does not transcribe “both sides of the spin,” can also do grave disservice to the public. Consider just one story — albeit one that concerns the survival of the planet — in which the basics of reporting official statements, and following up, could have made all the difference.

The cold war is long over, and the United States and Russia are at peace. Yet together they have approximately 4,000 nuclear warheads on hair-trigger alert — weapons with a combined destructive power nearly 100,000 times that of the atomic bomb that leveled Hiroshima are armed and fueled at all times. Their targets — Washington and New York, Moscow and St. Petersburg — have been programmed by internal computers. In the U.S., they will launch on receiving three computer-delivered messages. Launch crews — on duty 24-7 — will send the messages on receipt of a single computer-delivered command.

On May 23, 2000, presidential candidate George W. Bush embraced National Missile Defense in a speech in Washington. The mainstream press reported this. In the same speech, however, Bush also said:

“The United States should remove as many weapons as possible from high-alert, hair-trigger status — another unnecessary vestige of cold war confrontation . . . For two nations at peace, keeping so many weapons on high alert may create unacceptable risks of accidental or unauthorized launch. So, as president, I will ask for an assessment of what we can safely do to lower the alert status of our forces.”

Bush's commitment to Star Wars was utterly predictable. His concern about “unacceptable risks of accidental or unauthorized launch” was a highly newsworthy surprise. For one thing, Bush was im-



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PLICITLY repudiating the longstanding acceptance of the status quo by his fellow Republicans in Congress. For another, he was taking the lead on an issue that President Bill Clinton and the Democratic presidential candidate Al Gore had ignored. The mainstream press told voters none of this.

The neglect of candidate Bush's stand on high-alert nuclear weapons would prove to be only a prologue to five years of sustained journalistic neglect of the issue. Here are highlights of what the press ignored:

■ Bush did in fact request the assessment, or nuclear-posture review, and received it in early 2002. Soon thereafter, the president reversed the course he'd set as a candidate, accepting upon entering the White House the very risks he'd found "unacceptable" while campaigning.

Bush and Putin were silent about the thousands of warheads on hair-trigger alert. The press was silent about the silence.

■ Bruce G. Blair, who heads the World Security Institute and is widely considered the nation's foremost authority on nuclear command and control, and others at the institute have warned frequently that ready-to-fire nuclear weapons are susceptible to unauthorized launch by heavily armed terrorists, who might either capture a missile or electronically hack into a missile launch control system. In 2002, for example, Blair cited a "super-secret Pentagon study" that concluded that terrorists could hack the U.S. submarine communications network and "actually transmit a launch order to the Trident fleet."

■ Two years and a day after his Washington speech, President Bush and Prime Minister Vladimir V. Putin of Russia signed the Moscow Treaty on Strategic Offensive Reductions. But they were silent about the thousands of warheads on hair-trigger alert. The press was silent about the silence. Nor did it remind the public of candidate Bush's view that too many warheads were ready to fire.

■ Two months after Bush and Putin met in Moscow, the Senate Foreign Relations Committee held a hearing on the treaty. Two longtime experts on strategic nuclear arms, former Senator Sam Nunn, co-chairman of the Nuclear Threat Initiative, and Eugene Habiger, former commander in chief of the Strategic Command, testified. Nunn said that progress toward removing weapons from higher alert status "may well be more important to stability and security than the number of nuclear weapons." Habiger warned, "There is only one thing that can destroy the United States of America today — and that is Russian nuclear warheads." Major news organizations reported the testimony of neither Nunn nor Habiger.

All this information was readily available to journalists if not always staring them in the face. NBC's Tim Russert recognized the peril by making "the threat and prevention of nuclear terrorism" the subject of *Meet the Press* on May 29, 2005. Among Russert's guests that day were Sam Nunn and Richard Lugar, chairman of the Senate Foreign Relations Committee, who co-authored the Nunn-Lugar Cooperative Threat Reduction Program.

Russert to Nunn: "What about each side having their nuclear weapons on hair-trigger alert?"

Nunn: "Well, that makes no sense . . . particularly from our security point of view . . . because the Russians' radar system and their warning systems have deteriorated substantially, so there's more chance of an accident now. Here again, you've got to have presidential leadership. These changes are not going to bubble up from the bottom. They've got to come from the top."

Earlier in the program Lugar said: "Every time I call President Bush, he says, 'Well, I'm going to call Condi Rice right away,' or Don Rumsfeld. And he does, and they call people. But if somebody like us around the table was not calling them — you know, that's why our government really works, checks and balances."

Lugar's plain — and newsworthy — implication was that Bush does not assign a high priority to reducing the nuclear threat. Yet I could find no U.S. news coverage on any aspect of this survival-of-the-planet edition of *Meet the Press*. Seven days after the *Meet the Press* program, a newspaper reported that former Defense Secretary Robert S. McNamara had told a conference earlier in the week, "If I were to characterize U.S. and NATO nuclear policies in one sentence, I would say they are immoral, illegal, and militarily unnecessary." Once the overseer of 30,000 nuclear warheads but now an advocate of disarmament, he described nuclear weapons as "very, very dangerous in terms of the risk of inadvertent or accidental launch."

The newspaper was *The Sunday Times*. Of London.

U.S. journalism is rightly criticized these days for its broad failure to get beyond the spin, to adjudicate factual disputes, to challenge the official version of truth. This story, though, required none of that. It was simply a matter of reporting what the officials said, and following up. ■

Morton Mintz, a senior adviser to Niemanwatchdog.com, was a Washington Post reporter for nearly thirty years. He has written about the hair-trigger alert for The American Prospect.

Some reporters cover city hall. Science journalists cover

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- Carey Goldberg, *The Boston Globe*

DARTS & LAURELS



DART to *The Philadelphia Inquirer*, for its extravagant production of an off-off little drama.

Scene I. In an article co-authored by the staff writer Mario F. Catabiani, the paper throws its spotlight on the annual meeting of the National Conference of State Legislatures, held this year in Seattle, rigorously recording in minute detail the food and drink and giveaways and entertainment provided by the conference's corporate underwriters.

Scene II. Daylin Leach, a Pennsylvania state representative and former professional stand-up comic, adds another of his sometimes x-rated political satires to the hundreds of others archived on leachvent.com, a personal Web site he maintains for family and friends. In this one, a fictitious reporter, sent by his clueless editors to cover the conference in Seattle, doggedly skulks around in nutty disguises hoping to catch a legislator in such bacchanalian acts as eating a corporate-funded muffin or (a running gag) "getting his jimmy pierced." The straight-arrow legislator, for his part, tries in vain to convince the reporter — named, most irreverently, "Mario" — that the lawmakers are truly more interested in the seminars on education and the environment than in Geisha girls and karaoke.

Scene III. The *Inquirer* gives page-one play — along with news of Katrina's cataclysmic devastation and a stampede in Iraq that left 800 dead — to a 1,575-word news story by Mario C. Catabiani headed PA LAWMAKER'S BLOG: FUNNY — OR OFFENSIVE? Laced with excerpts that show the lawmaker's irreverence, the story is also laced with quotes that testify to Catabiani's enterprise

— quotes of outraged reaction that Catabiani solicited from selected spokespeople who were bound to find Leach's blog offensive but who, it now appears, had never even heard of it until Catabiani brought it to their attention.

Scene IV. The *Inquirer* follows its front-page revelations with a blistering editorial calling Leach "a joke." Titled WHAT A LAME ATTEMPT AT HUMOR! the editorial blasts him for his distasteful references to sex and drugs, and cites, among other examples it disapproves of, "the Democrat's sarcasm about President Bush's intelligence" and the one about "getting stoned on hashish with Henry Kissinger." This indictment, however, fails to note that in Leach's most recent spoof, the target clearly mocked had been the *Inquirer* itself. Appearing a few days later will be a similarly bilious (and similarly incomplete) piece by columnist John Grogan.

Scene V. Leach rings down the curtain on leachvent.com (inspiring two more Catabiani stories). "If anyone has been offended by anything I have written, I am truly sorry," Leach tells his Web site fans, none of whom he says has ever complained. "I was trying to make people laugh and think, not upset them."

Epilogue. Various observers (in the *Allentown Morning Call*, the *Main Line Times*) weigh in with less than rave reviews of the *Inquirer's* performance, and the paper runs some letters criticizing what one reader calls its "personal vendetta." But it is the *Philadelphia City Paper*, perhaps, that sums the whole thing up most bluntly: "The *Inquirer* savaged this young legislator because his satire was hitting the mark: Them."

LAUREL to the Baltimore *Sun*, for peering through the portholes in the ship of state. With all the anxiety afloat about the vulnerability to terrorist attack of the nation's ports, reporters Michael Dresser and Greg Barretet set out to test the local waters, logging their findings in a July 10 front-page special report. Three months in the making, their investigation into security at the Baltimore port, eighth largest in the country, drew on state records, confidential interviews with port police, and the reporters' own eyewitness inspections, documented with telling *Sun* staff photos. Among other lapses, they found gaps in fences, unattended gates, phony video cameras, inoperative alarms, sleeping guards, lax identification of visitors, and

a manpower shortage that keeps patrol boats in dock for indefensibly long stretches of time. As an accompanying editors' note explained, the paper's "goal was to improve safety by focusing public attention on shortcomings without providing a road map to those who might want to exploit them" — and indeed, attention got focused. While some outraged readers were condemning the exposé as "un-American," "criminal," and "a new low in public responsibility," transportation officials announced a tightening of procedures and a state legislative panel scheduled hearings into security shortcomings at the port.

DART to the *Honolulu Star-Bulletin* and countless other smaller newspapers in the U.S., Canada, and the U.K., for investing prime editorial space in a deceptive venture. Each of the papers carries in its business pages a financial-advice column that is literally identical to the others, the only difference being in the writer's name and accompanying photo. Oh, yes — there is also a difference in the details given at the bottom as to where the columnist can be reached, which always happens to be the local branch of the financial-services company Edward Jones, from whose p.r. department at its St. Louis headquarters the unmarked advertisements — er, "public service" offerings — actually come.

Darts & Laurels is written by Gloria Cooper, CJR's deputy executive editor, to whom nominations should be addressed: 212-854-1887; gc15@columbia.edu.

STATE OF THE ART GUT INSTINCT

Four Ethiopian families live among the prairies, mountain peaks, and rodeos of Greeley, Colorado, and no newspaper reader survey anywhere has turned up interest in one Ethiopian man's end-of-life journey home.

The *Greeley Tribune* wrote that story anyway — in seven novelistic parts.

Tribune reporter Millete Birhanemaskel, who told the first-person account of her ailing father's return to his Ethiopian homeland, cannot swim at the town pool now without a curious reader asking after her brother or dad.

The length and apparent riskiness of the "Going Home" story is more norm than exception at the 25,000-circulation daily, which has so far ignored the reflexive, quick-hit, grab-the-young formula that is handed down by typical newspaper consultants. The *Tribune* relies instead on its gut.

Instinct has led, in recent years, to a fourteen-month series on children in poverty; a twenty-month series on Latino-Anglo relations; a seven-part series on living with disabilities; and an eight-month-long series on the widening gap between rich and poor in the *Tribune's* own Weld County. In an area founded on beet sugar, spuds, and cattle, some parts have recently exploded into upscale suburbs. Greeley was recently named the fastest-growing metro area in the country by the U.S. Census Bureau.

The *Tribune's* megastories may seem ruinous in an industry already in circulation freefall. But the newspaper's approach offers evidence to the contrary: that stories of marathon length on social issues can sell newspapers. Whether poor children or an immigrant father would attract readers in other growing cities is a matter of speculation, but the *Tribune* is one of the only dailies in Colorado whose circulation has slowly, steadily climbed over a decade. In the midst of a population boom in that state — 30 percent over the past fifteen years — papers in Denver and Fort Collins have been losing readers instead of gaining them in recent years.

So whose instinct sells the *Tribune*? If it is editor Chris Cobler's, it's not because he's a throwback. He can talk reader experience, target audience, and redesign prototype with the best of today's newspaper improvement gurus. To more deliberately engage young adults, Cobler writes his own editor's blog, "Virtual Reality." He's created an online advisory panel of 850 readers. He's overseen risky new ventures, including a Spanish-language weekly edition, *La Tribuna*, begun in January and already profitable, surpassing company projections by 50 percent, Cobler said.

What further distinguishes the *Tribune's* coverage, which is

capturing national awards, may be Cobler's humanistic take on "the reader." As newspapers troll for new subscribers, that "reader" has come to look like a young, shallow, multitasking, gadget-loving nonreader. The only way to capture him is via a lively mix of salacious, celebrity, conflict-ridden, short, and useful stories presented with the graphic allure of a children's cereal box — preferably online.

That's fine for starters, Cobler believes. But his reader takes a slightly different shape. His reader is a neighbor, not a sensation-seeker.

"You welcome him into the neighborhood with a plate of chocolate chip cookies," explained Cobler, who is thinking metaphorically these days as a Nieman journalism fellow at Harvard University, where he is studying how community newspapers can use the Web to lure young readers. "You feed him with whatever is trendy, sexy, and eye-catching," he continued, "but then you have him for dinner for a full meal. So that even if he doesn't know he wants more,

you hope you can help him want more."

Who knows this reader best? Not a marketing consultant with a headset and clipboard, but *Tribune* reporters, editors, and even copy editors. Under Cobler, the entire forty-person newsroom joins in a half-day retreat each year to discuss and vote on the best of a set of major story ideas from reporters. Thus the newspaper's agenda is created.

Ethiopia was different, conceived after the twenty-three-year-old Birhanemaskel asked for a leave to take her father home. Cobler saw a story, and reporter and editor began to talk about themes: father-daughter love, reclaiming lost dignity, the immigrant experience in America, going home. The consumer-reader might not have cared. Cobler wagered that *Tribune* readers did.

Not all of them did.

"What are you thinking?" wrote "anonymous" in an online comment after the first installment. "Ethiopia and Greeley have in common just one thing: they are probably on the same planet."

With each new installment, the world got smaller, as reader comments traveled from Afghanistan, Ethiopia, and every continent on earth to the inboxes of the small-town daily. The Ethiopian community had weighed in. But what about, say, local Rotarians, whom reporter Birhanemaskel addressed after her stories appeared. She says she looked up from her notes to see some people in her audience weeping.

That came as a shock until she had a Cobler-like thought: "Who can't relate to the love between a father and daughter," she said.

— Candy J. Cooper



Tribune reporter Birhanemaskel with her father in Ethiopia

CURRENTS

BLOGGER
BEWARE

Had Carl Nyberg's denunciations of school-board president Chris Welch appeared in the *Forest Park Review*, where he contributes occasional opinion columns, the \$1 million defamation suit facing the Illinois muckraker would be an open-and-shut case. Since Nyberg posted the comments on his blog, the *Proviso Probe*, the situation is murkier. It's generally assumed that the "actual malice" standard — the threshold for proving defamation of a public figure by a journalist — will apply to bloggers, but that has yet to be put to the test. And Nyberg, after all, is among the first bloggers to be sued on those grounds.

Nyberg's troubles began after he questioned Welch's role in casting the deciding vote to give his brother, Bill Welch, a \$46,000-a-year custodial job with the Proviso Township school district. Bill Welch, Nyberg noted, had once been indicted on drug charges, later dropped. The "starting salary suggests this position isn't going to be hard to fill with someone who isn't a hoodlum and doesn't hang with drug dealers," he wrote on his blog, which he'd started just two days earlier. (Bill Welch has filed a separate defamation suit against Nyberg, also seeking \$1 million in damages.)

Since the courts have yet to weigh in on whether the same legal protections afforded to journalists extend to bloggers, free-speech advocates are keeping close tabs on cases like Nyberg's. How this plays out, said Paul McMasters of the First Amendment Center, "is something that all of us watch with some trepidation."

— David Cohn

RE: REFUGEES AND EVACUEES

After Katrina battered the Gulf Coast and the levees gave way in New Orleans, leaving many residents destitute, a maelstrom of criticism hit some newsrooms from readers who objected to the use of the word "refugee" in reference to the displaced victims. At The Atlanta Journal-Constitution, this prompted an internal debate. An abridged version follows:

From: Angela Tuck, Public Editor
Subject: Evacuees Please!!

We are still getting e-mails and phone calls from people objecting to the use of the word "refugee."... On today's Metro cover, we referred to a black hurricane victim as a refugee in a caption while referring to two white hurricane victims as evacuees in another caption. I'm sure this wasn't intentional but it has prompted a number of calls from angry readers noting the different descriptions. In the future, since the word "refugee" is so upsetting to some despite being a technically correct description, let's please refrain from using it....

From: *****
Subject: Re: Evacuees Please!!

And will this principle apply the next time there's a natural disaster in Sri Lanka or the Philippines or Congo?

From: *****
Subject: Re: This from the Chi Trib's Ombud

Personally, I'm leaning toward the term "involuntary tourist."

From: *****
Subject: Re: This from the Chi Trib's Ombud
Perhaps "nouveau Atlantan (or Houstonian)."

From: *****
Subject: Re: Evacuees Please!!

New Orleans isn't Sri Lanka, or even the Congo. There's a difference, which I'd think would be self-evident. It's silly and offensive to needlessly piss off large numbers of readers when there's another word that works equally as well....

From: *****
Subject: one more on refugees/evacuees

... The backlash against the word evacuee — even here in the AJC newsroom — seems [to] be very telling of the divide that Hurricane Katrina has stirred up. Long after the flood waters have receded from New Orleans, that ugly divide ... will continue. How sad.

From: *****
Subject: Re: Evacuees Please!!

With all due respect: Why are we allowing ourselves to be swayed by the oversensitivity of readers? Don't we know words better than anyone? ... Evacuating for hurricanes is a way of life for people on the Louisiana Gulf Coast. They often would be forced to leave for two days, but they were always able to come back to a home. This time was different. Their homes, their city, much of what they know is washed away. We need a better word than evacuee to convey that loss and that sense of plight. That word is refugee....

From: *****
Subject: Re: one more on refugees/evacuees

It doesn't conjure up images of people from another country for me.... Evacuees could be people with means who while deserving of empathy don't require much help....

From: *****
Subject: Re: one more on refugees/evacuees

... Some of us really don't care what you decide on this issue, and don't deal with this issue in our copy, and don't want to see another single e-mail on this issue.... Thanks in advance.

From: *****
Subject: Re: evacuees please!!

... We can't discount the racial aspect that has grown up around this issue, as many African-Americans have taken this as one more piece of evidence that the U.S. government thinks of them as second-class citizens.

From: Julia D. Wallace, Editor
Subject: the last word

To all,
I appreciate the debate on the use of the word refugee. However, mass e-mails is probably not the best way for constructive conversation. For those who want to discuss further ... I will be glad to discuss with anyone interested at 4:30 p.m. Monday in the 7th floor conference room.

As public editor Angela Tuck told readers in a subsequent column, the Journal-Constitution chose to adapt its style, "using other words, such as evacuee, to describe those displaced by the storm."



UNLOCKING JUSTICE

Ofra Bikel's documentaries for the PBS series *Frontline* have played a significant role in the release of thirteen wrongfully convicted men and women from prison — a number that puts her in a class by herself among journalists.

When she began focusing on the flaws of the criminal justice system, Bikel visited Edenton, North Carolina, in 1990, where seven adults involved with the *Little Rascals* Day Care center stood accused of abusing twenty-nine children. Seven years and three documentaries later, Bikel had helped dismantle a faulty prosecution. *CJR* contributing editor Steve Weinberg spoke with her in July.

What did you learn from your *Little Rascals* research?

In child molestation cases, once you're accused, you're dead legally, whether innocent or guilty. People's lives are ruined, families are ruined. I realized this couldn't have happened the way it was described, and I began to doubt the various accusers. Whatever I touched, there was something wrong. Because so much of the case didn't jibe, I decided to look at cases in other locales.

What came next?

Snitch, in 1999, dealt with another kind of injustice in the criminal justice process: the use of informers in the prosecution of drug cases. Many responsible people tell me they don't know how you can have a criminal justice system without the use of infor-

ants, but I do know that this lends itself to terrible abuse, especially in drug cases, when snitching is the only way to save yourself.

So you shifted your focus to fixing a broken system?

I began to wonder whether the system corrects itself when it makes mistakes. For example, in spite of the fact that scores of inmates had been released from prison at that time because of DNA testing, there were many more who remained in prison because they were denied tests or because favorable results were dismissed or hidden by the prosecution. When people are released because of new DNA evidence, it makes for headlines and everyone applauds. What is rarely discussed is the randomness of their release.

Randomness?

When deciding which inmates to feature in our documentary, *The Case for Innocence*, I wanted to look at a nonmurderer with no prior record who had served a long time and was articulate or had an articulate family member. Clyde Charles, in prison nineteen years for rape, qualified. After our broadcast, Charles was exonerated. I'm proud that I played a role. But more than anything, I tremble with fear. What if we had decided on another case instead? Charles could have easily been in prison for another five or ten years. What unhappy family did we just toss aside because the profile was not what we were looking for?



LANGUAGE CORNER

SNEAKY BEGGAR

A tricky topic long evaded here came up most recently in a note from Amy Carlile, deputy managing editor of *Roll Call*, a Washington newspaper that covers Congress: What does "beg the question" really mean?

The term comes from formal debating and denotes the classic fallacy in logic of proving a point by using a premise that has not, itself, been proven. (In law, a commonly heard objection to such maneuvers is "Assumes a fact not in evidence.")

One form of begging the question is circular reasoning — basing two conclusions on each other. A proving A: The editor must be right because editors don't make mistakes.

But the begging needn't be circular; A, unproven, can be used to prove B. Way back when,

H.W. Fowler cited the proposition "That fox hunting is not cruel, since the fox enjoys the fun." There is no proof, of course, of the fox's state of mind.

In our time the phrase has become popularly understood — it apparently *sounds* good to a lot of people — to mean to duck a question, or to raise or imply a question that cries out for an answer. For example (among thousands), a pundit on the American presence in Iraq: "It then begs the question, if we're going to stay the course, what's the course?"

We don't need "beg the question" for such meanings, and it's sometimes useful in its original sense. Whether that sense will ever again prevail seems, at best, debatable.

— Evan Jenkins

A lot more about writing is in Language Corner at *CJR's* Web site, www.cjr.org, under "Journalism Tools."

HARD NUMBERS

42: Percent of Fox News viewers who believe that people who took items from homes and businesses in New Orleans in the wake of Hurricane Katrina were primarily criminals using the situation to their advantage.

31: Percent of CNN viewers who believe the same.

107: Number of journalists who are imprisoned in countries throughout the world.

4.6 to 1: Odds they're jailed in Cuba.

48: Weight, in pounds, the Iranian journalist Akbar Ganji lost in a hunger strike last summer.

3: Pages of corrections contained in the paperback edition of Seth Mnookin's book, *Hard News*, about the aftermath of the Jayson Blair scandal.

59, 93: Percent of journalists who agreed with the statement "I am excruciatingly careful about fact-checking my stories" in 2003 and 2005, respectively.

34, 45: Percent of journalists who agreed with the statement "I am less trusting of the professional behavior of my colleagues" in 2003 and 2005, respectively.

13: Number of journalists who have been killed by U.S. troops in Iraq since March 2003.

\$5,000: Amount in restitution the U.S. military paid to the family of the slain Knight Ridder reporter Yasser Salihee.

50: Percent of that sum earmarked to cover damages to the vehicle Salihee was driving when he was killed.

Sources: Pew Research Center, San Francisco Bay Guardian, *RSF*, *New York Daily News*, *Euro RSCG/Columbia University*, *CPJ*, E&P



THE AMERICAN NEWSROOM

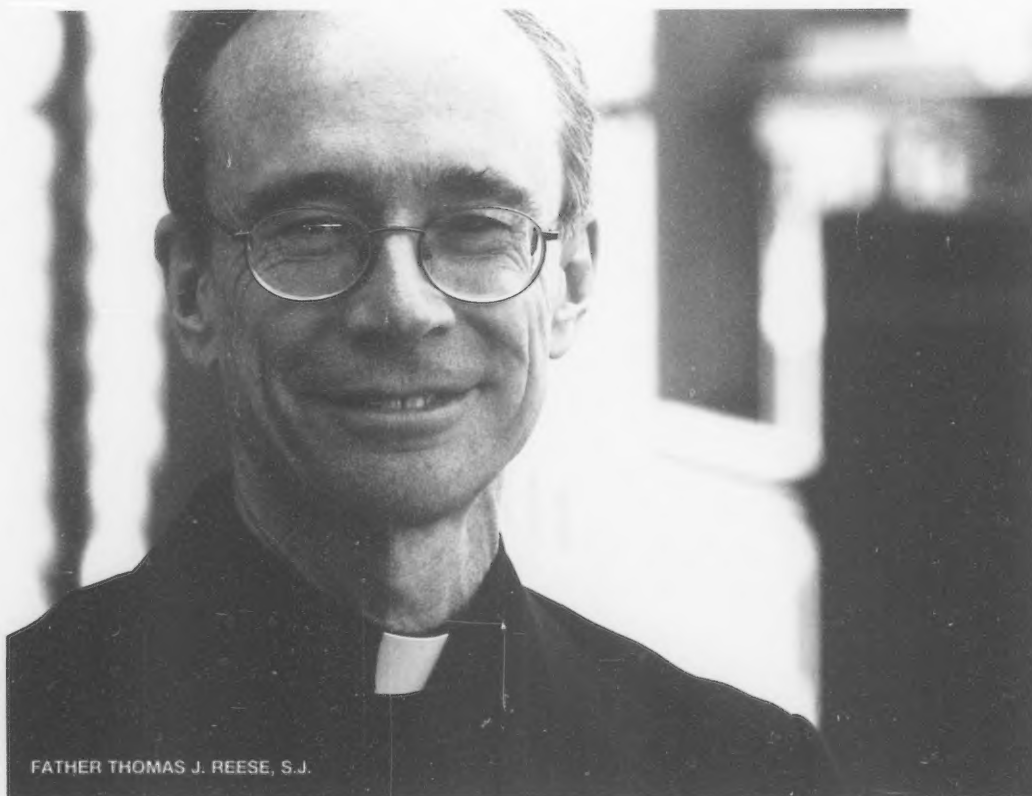
THE NEW YORK TIMES
New York City

PHOTO BY SEAN HEMMERLE



From Vatican City to Kansas City, the Catholic press is suffering from an identity crisis

ARTICLES OF FAITH



TATYANA BORODINA

FATHER THOMAS J. REESE, S.J.

BY KIERA BUTLER

The Sunday after Father Thomas J. Reese, S.J., left his post as editor-in-chief of the Jesuit-run *America* magazine, Father James Martin, S.J., an associate editor at the magazine, went to mass at St. Ignatius Loyola Church, not far from *America*'s midtown Manhattan offices. Afterward, several parishioners told him how sorry they were that Reese had to go. "People were crying," he says.

A few days later, Martin was at a pub with some friends. "The Irish bartender found out I was a priest," he says. "And not knowing where I worked, he said 'Oh, it's horrible about that Father Reese. He seemed like such a nice guy.'"

The next week, Martin was visiting an order of cloistered Dominican nuns in the Bronx. One of the sisters offered her condolences about Reese.

"From the Irish bartender to the cloistered Dominican nun," Martin says, "if it goes from one end of the spectrum to another, it's a pretty good indication of how people felt."

And that was only the beginning. Over the next few weeks, *America* received 1,200 letters and e-mails, most of them from people who had heard the rumors about Reese's departure, that Reese had paid a price for taking the magazine in a direction the Vatican found unacceptable. *America's* 45,000 readers knew Reese as an intellectual whose editorial fingerprint was one of careful moderation and whose magazine had been inhabited by thinkers from both the conservative and liberal theological traditions.

But the rumors were true. Because no one — not the staff of *America*, not Reese, and not Vatican officials — ever announced that Reese had been fired, some observers have claimed that Reese left voluntarily and that there is no reason to accuse church leaders of censorship. But Reese's departure from *America* was the culmination of a five-year struggle between the magazine and church authorities. Reese became an emblem of the larger struggle within Catholic journalism about the nature of its mission.

America was founded by a group of Jesuits in 1909, and today priests on staff both live and work at the magazine's headquarters, an elegant, understated townhouse on West Fifty-sixth Street. Reese, who likes to describe *America's* signature mix of politics, theology, and devotional content as "Catholic PBS," became editor-in-chief of *America* in 1998. By 2000, complaints from the Vatican had trickled down to the staff of the magazine. Although no specific names were ever attached to grievances, one thing was clear: the rumblings of disapproval had begun in the Holy See, in the Congregation for the Doctrine of the Faith, a branch of church leadership that defends the teachings of the church. For the twenty-four years before he was elected Pope Benedict XVI, Cardinal Joseph Ratzinger headed the Congregation.

In 2002, Peter-Hans Kolvenbach, the Superior General of the Jesuits, told *America* that the Congregation had objected to several of the magazine's articles, arguing that they made open discussions out of matters that the church regarded as closed. Among the articles in question was one that, in light of the AIDS crisis, reconsidered the morality of the church's condemnation of the distribution of condoms. Another critiqued *Dominus Iesus*, the 2000 Vatican document on the primacy of the Catholic faith, as having set interfaith dialogue back a step. Reese was issued a warning: the Congregation for the Doctrine of the Faith had appointed a board to oversee *America*. If Reese continued to print articles that challenged church teaching, he would be fired.

Reese says he took the complaints seriously. During the time the magazine was under scrutiny, the staff redoubled its efforts to explain the church's position on sensitive issues. They invited conservative bishops to

write articles; Ratzinger himself contributed a piece on the importance of the universal church over local parishes.

In 2003, the magazine received word that it was no longer under scrutiny by the Vatican. But the next major doctrinal document that the church published condemned gay marriage. The *America* staff deliberated about how to respond. A year later the magazine printed an article supporting the Vatican's position, followed by responses to it, and then, responses to the responses. The exchange between scholars, priests, and journalists represented a wide breadth of viewpoints, and Reese got word that church leaders disapproved of one article that defended gay marriage. When, in 2005, Ratzinger was elected pope,

Although no names were ever attached to grievances, one thing was clear: the rumblings of disapproval had begun in the Holy See.

Reese knew his relationship with him would not help the magazine, so he told his staff that he would resign. The staff convinced him not to. But when Reese told this to his boss, Father Brad Schaeffer, the head of the Jesuits in the United States, he was informed that the Congregation for the Doctrine of the Faith had already demanded his resignation.

For those who follow trends in the Catholic press, what happened at *America* was anything but a surprise. In two other well-publicized cases, the Congregation had also issued complaints against articles in *Stimmen der Zeit*, a 134-year-old German Jesuit magazine, and *U.S. Catholic*, a magazine published by the Claretians. And if editors at other church-run publications felt ripples of censorship after Reese's dismissal, those ripples had come from a stone cast long before Reese left *America*. This was simply the latest chapter in a decades-long debate about the mission of the Catholic press.

Father Richard John Neuhaus, an outspoken conservative Catholic thinker and editor-in-chief of the ecumenical magazine *First Things*, says a church-run publication is akin to a house organ at a business, where the best interests of the organization come first. "Any editor with his or her head screwed on right knows that the purpose of the publication is to advance those interests," Neuhaus says. The "fair and balanced" journalistic ideal toward which the secular press strives doesn't apply.

"What's balance?" Neuhaus says. "If you're a publi-

cation that aims to advance the mission of the Catholic Church, is it balance to publish material fifty percent in favor and fifty against? That's not balance, it's undermining the mission of the magazine."

Reese, now a visiting scholar at Santa Clara University in the Silicon Valley, says that the comparison to a house organ doesn't fit; the church isn't a business, he says, it's a "community of believers." Modern Catholics live in a politicized world. Issues such as gay marriage and abortion don't exist in a vacuum of church teaching. "In previous centuries, when the laity were not educated, these issues could be dealt with by the clergy," Reese says. "Well, that's not going to work today. It's very healthy for the church to allow freedom of the press and academic freedom." Reese and others point

'Bishop Boland must have said a hundred times, "If you want a catechism, go buy a catechism. A newspaper is not a catechism."'

out that dissent and discussion within the church have led to some of the most important reforms (consider Vatican II) in the long and complicated history of Catholicism.

"This idea that a Catholic publication should only print what Rome agrees with is essentially un-Catholic," said Tom Roberts, editor-in-chief of the independent Catholic newspaper *National Catholic Reporter*. "Our tradition shows, much as people would not like to admit this, that the church has changed its mind on some very significant issues."

Roberts's national weekly, along with *Commonweal*, a Catholic biweekly, both criticized the firing of Reese on their editorial pages. But unlike *America*, both are published by lay people, not priests, and therefore are not subject to discipline by church authorities.

Church-run publications were not so willing to offer up a challenge. In May 2005, at a meeting of the Catholic Press Association, Meinrad Scherer-Emunds, executive editor of *U.S. Catholic*, proposed that members issue an official statement expressing their concern over Reese's dismissal. But the association is composed mostly of journalists from church-run publications, and some members backed off. "In the beginning, it seemed as if people were going to support the statement," said Scherer-Emunds. "But then the atmosphere in the room changed to one of fear. Several respected editors spoke out against it, and eventually it was voted down."

Some 170 diocesan papers are published in the United States, and although they share the common goal of reporting news of the church, their scope and content vary dramatically. Some are little more than bulletins, where Catholics can read about church events and view photos of bishops grinning from all corners of the front page. Others are much more news-oriented and ambitious.

Unlike *America* or *U.S. Catholic*, diocesan newspapers have a local focus, and their readers are a diverse bunch, with varying interests and levels of education. The local bishop is each paper's publisher, and the church gives the bishop the responsibility of using it to inform and evangelize, in whatever balance he sees fit. But each bishop handles this balance differently, and sometimes a change in bishops means a drastic change in the paper.

When Robert Finn became bishop of Kansas City and publisher of *The Catholic Key* earlier this year, he replaced Bishop Raymond J. Boland, who had been in charge of the paper for twelve years. During Boland's time as publisher, the paper won more than thirty awards, and earlier this year, he received the 2005 Bishop John England Award, an honor the Catholic Press Association presents yearly to bishops who do outstanding work defending First Amendment rights.

Albert de Zutter, who has been editor and general manager of *The Catholic Key* since 1990, says Boland's philosophy — that newspapers do not exist simply to regurgitate church doctrine — allowed him to write award-winning editorials that sparked debate on sensitive church issues. "Bishop Boland must have said a hundred times, 'If you want a catechism, go buy a catechism. A newspaper is not a catechism,'" de Zutter says. In a September 2004 editorial in the "Viewpoints" section of the paper, de Zutter argued that Catholics should not judge politicians solely on their stance on abortion. In 2001 and 2002, in several editorials about the sex-abuse scandals, he called for more accountability on the part of the church.

But Boland announced his retirement in the May 27 edition of *The Catholic Key*, and as of early October, the local portion of the "Viewpoints" section had made only one appearance under Finn: a curmudgeonly look at shopping for school supplies. Finn also discontinued a syndicated column by Father Richard McBrien, a somewhat incendiary — and liberal — Catholic writer.

Finn says that news stories that include multiple points of view on an issue are one thing, but opinion pieces are another. He told *CJR*: "To take something which is clearly defined in authentic church teaching, and to put it side by side with someone else who believes something different — I don't think that fulfills the role of the Catholic press, from the point of view of someone who doesn't know what to believe."

Bishop Finn's editorial philosophy is on the extreme end of the spectrum, but in no way is it unique. In 2003, a bishop in Raleigh, North Carolina, fired the

editor of a diocesan paper who published an interview with a theologian who criticized the church. And bishops across the country have demanded that papers drop McBrien's column.

Some speculate that freedom of the diocesan press peaked after the liberal reforms of Vatican II, and that in the years since, free speech has been on the decline. Bishops appointed during the past two conservative papacies are less likely to allow controversy within the church into the pages of the diocesan newspapers.

Some evidence suggests that the bishops' effort to rid diocesan papers of controversy might be backfiring. In response to a recent poll in *U.S. Catholic*, 80 percent of respondents said they agreed with the statement, "Catholic newspapers that steer clear of controversial or difficult issues have contributed to the loss of credibility the church has suffered in recent years." Only 5 percent reported that they got most of their news about the sex-abuse scandal in the Catholic church from diocesan papers; most relied instead on the secular media. It's impossible to say whether those trends accurately reflect the opinions of all Catholics, since the sample size was small and the respondents were all readers of *U.S. Catholic*, but the starkness of the figures suggests that there is, at the very least, an undercurrent of dissatisfaction with the diocesan press.

Margaret O'Brien Steinfels, co-director of the Center on Religion and Culture at Jesuit-run Fordham University in New York City, says the rigidity of the Catholic press could make it vulnerable to misrepresentation in the secular media. "I would think it would be in the best interest of the bishops to think seriously about the consequences of the major media being the main outlet for Catholic news," says Steinfels.

But for national Catholic publications like *America*, the role of church leaders is more complicated. Censorship does not start with local bishops; it filters down

through a complex chain of command that begins with Vatican authorities. Reese believes that the Congregation's ironclad approach to dissent might have as much to do with culture as it has to do with Catholicism. Catholics in Europe, Reese said, might disagree with church teaching, but the strident way in which Americans voice their disapproval would be anathema to most Europeans, including those in Rome.

Reese's successor, the veteran *America* editor Father Drew Christiansen, is a less public man than Reese (Reese frequently explained the Roman Catholic church to the secular press), and he says he will have a different editorial focus.

"I'm probably more interested in the church's inter-

The Knight-Bagehot Fellowship

Columbia University is now accepting applications for the Knight-Bagehot Fellowship in Economics and Business Journalism.

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Michael Massing of *The New York Review of Books* won the 2005 Mongerson Prize for his analysis of the failings of the media in reporting about weapons of mass destruction in Iraq.

The winning 2005 entries are on the Mongerson Prize Web site. More information on the prize and entry forms are also available: www.mongersonprize.org.

For more information, please see the Web site or call 202-661-0141.

Deadline for submissions: Feb. 28, 2006

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sections with the world than in the internal politics of the church," says Christiansen. "My concerns are more with how the U.S. church relates to the church around the world. I'll probably also take a more international perspective. I'm concerned that Americans know what's going on with the wider church."

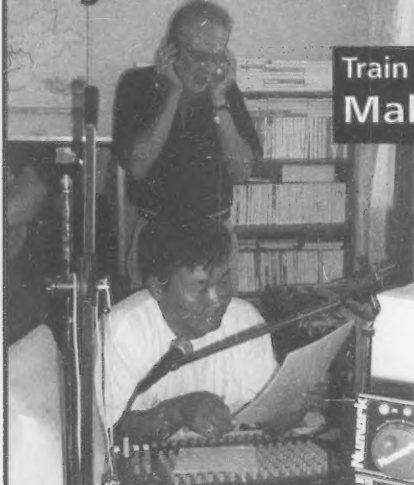
After Ratzinger's election as pope but before Reese's dismissal, this line appeared in an editorial *America* published: "A church that cannot openly discuss issues is a church retreating into an intellectual ghetto." The magazine has said that on this principle, it will not waver. Christiansen's shift of focus away from controversy within the church might ease some of the tension between *America* and the Vatican. But he knows he's in a delicate business. "We'll watch ourselves, but we'll also try to offer things that are quite substantive in content," he says. "We hope to be a serious journal that airs serious views on issues of concern to the church."

This won't be an easy line to walk. For example, in September, a new document from the Vatican was leaked to several major publications. It called for an inspection of each of the 229 seminaries in the United States. Already, one section of the document — the part that suggests seminaries should bar gay men from entering — has drawn considerable criticism from those who see a witch hunt.

The inspections will touch many communities in the United States, and diocesan papers — and the bishops who publish them — will have to decide how to cover them. The staff of *America* has already been contemplating their response: Christiansen has commissioned several pieces on the subject. In the wake of the dismissal of Thomas Reese, the world will be watching. ■

Kiera Butler is an assistant editor at CJR.

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Ken Auletta
author, media columnist, *The New Yorker*

Tom Brokaw
NBC News

Osborn Elliott
dean emeritus, Columbia University
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Ellen Goodman
columnist, *The Boston Globe*

Clarence Page
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Entry forms can be obtained from Charles Eisendrath, Director, The Livingston Awards, Wallace House, University of Michigan, 620 Oxford Road, Ann Arbor, MI 48104. Phone: 734-998-7575. Fax: 734-998-7979. www.livawards.org
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GETTING OUT: *Times-Picayune* employees, including editor Jim Amoss (center left), retreat as the water rises.

The author returns home to gauge how closely the fate of *The Times-Picayune* is tied to the fate of New Orleans

UNCHARTED WATERS

BY DOUGLAS McCOLLAM

Late in the afternoon on Tuesday, August 30, a large delivery truck for the New Orleans *Times-Picayune* pulled up on a freeway overpass near the middle of town and stopped. At the wheel was David Meeks, a sports editor for the paper. Riding with him was Michael Perlstein, a veteran cops and courts reporter. Like many Orleanians, the men had been through a harrowing two days as Hurricane Katrina howled through the city, then flooded it. In short order, New Orleans descended into chaos, with armed looters, uncontrolled fires, and unclaimed corpses, one of which turned up just down the street from the house where they were staying. Without saying much the two men got out of the cab and went to the rear of the truck, which had been their sole means of navigating the inundated streets since the storm hit. From the back they removed a battered red plastic kayak and carried it down the overpass to where the floodwaters rose up to meet them. Wearing a red life vest, Meeks stepped into the bobbing craft, paused to get his bearings, then paddled off up Interstate 10 to look for an old friend.

As he paddled he saw a city that was submerged for more than a hundred square miles. To his left, the an-

gels and crosses adorning crypts in the city's largest cemetery loomed above the surface. Nearby, a river of murky water flowed through the gates of the city's most exclusive country club. The current was against him and, in the ninety-plus heat, sweat ran in rivulets. After about a mile Meeks guided his kayak off the interstate and past the Florida Boulevard exit, making for his home, purchased just a year ago, on Memphis Street in the Lakeview section of the city. He found it under about eight feet of water. Exhausted, Meeks tied off on the gutter of his roof, sat in the kayak and wept. After a few minutes, he surveyed his options. Seeing that the front door was submerged, he kicked open a window so he could swim into his living room. Inside, the water was so high he was able to propel himself by pushing off the downstairs ceiling with his hands. Getting to his back steps, he yelled up to the second floor. There was Carson, a mixed-breed shepherd that had been beloved by Meeks's dead father. As Meeks was contemplating how to get a large traumatized dog out of a flooded house and into a small kayak, he heard voices outside.

Back at the truck, Mike Perlstein was starting to worry. It was near dark and Meeks hadn't turned up. As

the boats that had used a nearby train trestle as an impromptu launch for rescue operations returned, Perlstein would ask if they had seen a guy out there in a red kayak. No one had. But just as the sun was dropping behind the horizon, a flatboat carrying Meeks, Carson, and three Cajuns from a neighboring parish appeared in the distance, a red kayak trailing in their wake.

Newspapers, the saying goes, are a daily miracle, and perhaps never has the expression been more apt than at *The Times-Picayune* in the wake of Katrina. Ashton Phelps Jr., the *Picayune*'s longtime publisher, says that covering Katrina put "maximum professional pressure with maximum personal pressure" on his staff. The day after the storm hit, the paper had to abandon its headquarters and its city, with hundreds of staff members and their families fleeing in a long convoy of *Times-Picayune* delivery trucks. Living mostly in borrowed houses, often separated from friends and family, wearing donated clothes, and working with hand-me-down equipment and donated office space, the paper managed to produce coverage of the disaster that serves to remind us all of just how deep is the connection between a city and its newspaper, how much they need each other. This may be even more clear now, in the storm's extended aftermath.

New Orleans is my hometown, and the *Picayune* was once my daily, and naturally I was curious to see how they were coping. So two weeks after Katrina I went down to Louisiana to spend a few days at the paper's improvised headquarters in Baton Rouge and in its New Orleans "bureau," which was in fact a small house on a side street in the middle of a dead city. One of my first explorations there was with Meeks to see his house. The floodwaters had receded just the day before, and it was the first time he had been back to Memphis Street since the kayak expedition. A shallow stream still flowed under our feet, and the smell was powerful and saturating, though not what I had expected: acrid more than rotten, coating your mouth and throat with an alkaline film. Every inch of dry ground was covered with viscous goo that changed color from gray to black whenever you stepped on it, so that you left a cartoon trail of ink-stained footprints. Inside the house, slime coated everything. The doors and cabinets were warped shut and dozens of waterlogged books lay swollen and scattered like dead fish after an oil spill. Miraculously, a group of family photos fixed to the front of the refrigerator were untouched, having somehow stayed on the dry side of the floating appliance. Meeks couldn't get over that. "The rest of it," he said later, "you just have to let it go."

Let it go. That was a sentiment I heard often around the *Picayune* during my visit. Most of the paper's senior staff had their homes flooded or damaged. Like the citizens of the city they covered, they were refugees. Adding to their troubles was the uncertain future of the *Picayune*. At a meeting shortly after the evacuation Phelps told staff members that their jobs

were safe until the end of October. That led to speculation that the paper might shut down after that time. Phelps, along with members of the Newhouse family, whose Advance Publications owns the *Picayune*, aggressively shot down all rumors of the paper's demise, declaring flatly that it would continue to publish. By mid-October, the paper had rebounded strongly, restoring about two-thirds of its circulation and promising no immediate cuts. But with the core of New Orleans slow to recover, it remains to be seen what happens to the paper in the long run.

In one way the *Times-Picayune* is fortunate. Unlike Gannett or Knight Ridder, Advance (which is also the parent of Condé Nast) is a private company insulated from the quarterly earnings metric that drives so much of newspapering today. But everyone intuitively understands that unless New Orleans, zombie-like, rises from its crypt in the coming months, some changes at the paper are probably unavoidable. "That would break my heart," one editor told me, before conceding that it was likely. It would be one of the cruel ironies of the disaster if it succeeded in diminishing the *Picayune* just as New Orleans needs it most, just as the *Picayune* is demonstrating why it is that newspapers still matter.

EXILE IN THE EXURBS

One of the first things I noticed visiting the *Picayune* is how much the staff's demeanor mirrors the city it covers. Informal and easygoing despite the circumstances, the reporters and editors plowed through twelve-hour days with little sniping or griping. "It's one of the rules," says features editor James O'Byrne. "No one can be an asshole right now. People are too fragile." At meetings the editors ran down the lineup and batted around the latest rumors — alligators on I-10, roaming sniper squads — with gallows humor, pausing to spell out the name of an editor who said something politically incorrect, insulting a public official or joking darkly about the plight of victims. (So many lurid rumors popped up during the disaster that the paper ended up having to set up a kind of "urban legends" team to knock them down.) Most stories, of course, were no joke. It was the *Picayune* that first broke the story of the impending flood on the day of the storm, while most news outlets were still reporting that the city had "dodged a bullet" (the scoop was the result of an epic six-hour bike ride around New Orleans by O'Byrne and the paper's art critic, Doug MacCash). It was also the *Picayune*, through its Nola.com Web site, that wrote the first graphic stories of victims stranded on a forlorn interstate and others hacking their way onto their roofs to await rescue. The paper's HELP US, PLEASE headline, appearing over a photo of a desperate woman on her knees the Friday after the storm, became the plea of the embattled city.

Presiding over most meetings was Jim Amoss, the *Picayune*'s low-key editor. Amoss pushed to make



CARSON'S CREW: (left to right) Gordon Russell, David Meeks, Michael Montalbano, and Michael Perlstein in the "bureau."

sure coverage looked beyond the immediate New Orleans area to the paper's readers in the surrounding parishes. Also, Amoss on several occasions expressed concern over whether the paper was giving enough coverage to the racial overtones of the disaster. Though the city is known for historically having more relaxed racial attitudes than most of the South, the stark contrast in wealth between white and black, combined with a high violent-crime rate and the relative absence of a middle class in the city, has fed bitterness on both sides of the racial divide. In 1993, the paper ran a series of stories exploring the roots of racial tension in New Orleans. The project was one of Amoss's first initiatives after taking over as editor and it caused a huge stir in the city. In the decade that followed, such comprehensive projects became something of trademark for the *Picayune* under Amoss, with everything from the Formosan termite to world fisheries receiving exhaustive investigations (the fisheries series, "Oceans of Trouble," won a Pulitzer in 1997).

At fifty-eight, with a short mop of gray hair, Amoss still manages to retain the youthful air of a favorite professor. Though a graduate of Yale (where he studied German literature and did his senior thesis on Thomas Mann's *Magic Mountain*) and a Rhodes scholar, he nevertheless describes himself as a late bloomer. "Today I'd be diagnosed with ADD — perfect for an editor," he says.

After graduating he worked for two years as a hospital orderly in Boston in lieu of serving in Vietnam, then returned to New Orleans in his mid-twenties with

no clear idea of what he would do with his life. Amoss began freelancing articles from the city, and a sense that journalism might be his calling took hold. He went to journalism school at night and applied for a reporting job with the *Picayune* but was turned down. Finally, in 1974, the *States-Item*, the city's now-defunct afternoon paper, hired him as a general-assignment reporter. He was twenty-six. "I couldn't think of anything better than being a reporter in the city I loved," says Amoss.

A few years into his stint at the *States-Item*, Amoss was paired with Dean Baquet, now the editor of the *Los Angeles Times* and at the time a young Columbia University dropout. The two became the paper's top investigative team as well as close friends off the job. (Baquet is the godfather of Amoss's son.) Separated by a decade in age and from opposite sides of the city's racial lines, their friendship struck some as unlikely. Terry Baquet, a younger brother of Dean and an editor at the *Picayune*, remembers first seeing Amoss having drinks with his older brother and wondering why a "rich white kid from Uptown" was hanging out down in the Seventh Ward. But if Amoss and Phelps represent one pillar of New Orleans society, then the Baquets represents the other, the old-line Creole community. The Baquets' father owned Eddie's, a restaurant that served as a watering hole at the crosscurrents of New Orleans culture. Terry, like his four brothers, went to St. Augustine High School in the city, a traditional Catholic prep school for well-to-do African Americans. Like Amoss, Terry Baquet came to journalism later in life, at the recommendation of his

brother. "He told me it was an honorable profession," Baquet says.

Of all the editors and writers I spoke with at the paper, none, save perhaps Amoss, were so obviously emotionally attached to the city — to the idea of New Orleans — as was Terry Baquet. It was hard for him to talk about what had happened without becoming emotional. Though his historic cottage had been flooded and looted, he seemed most concerned about his fish, a collection of Japanese Koi in a large backyard pond, which had been swept away. The most important item he says he salvaged from his house was a giant portrait of his father painted by an orphan from his neighborhood, whom his dad had taken under his wing. To Baquet, someone say-

ing that New Orleans couldn't or wouldn't come back might as well be slapping his grandmother.

As Amoss and Baquet demonstrate, it is hard to imagine a major paper more closely tied to its community — and thus to its community's fate — than *The Times-Picayune*. In print continuously for more than a century and a half, the paper's roots stretch back to well before the Civil War. A report released in March by the Scarborough group, a media research firm, showed that among the top fifty American newspapers, the *Picayune* has the highest percentage of daily readers in its market. Another survey showed that about 80 percent of adults in

the New Orleans metro area read the *Picayune* at least once a week. That sense of rootedness extends to the people who work at the paper. Phelps is the third generation of his family to publish the *Picayune*. Jim Amoss's family also has strong ties to the city, and many *Picayune* veterans have been there twenty years or more. All this lent a sense of family tragedy to what happened to the city and the paper that covers it.

Yet the *Picayune*, under Phelps's direction since 1979, has also moved to lessen its dependence on traditional New Orleans. Though only the thirty-fifth largest paper in the country by circulation, it nevertheless publishes six zoned editions in surrounding communities. Donald Newhouse, who oversees the paper for Advance, says that more than twenty years ago Phelps developed this strategy in an effort to hold onto readers as they moved out into bedroom communities. As a result, today almost two-thirds of the paper's 260,000 paid circulation is based outside the New Orleans city limits, most of it in areas less damaged by Katrina.

Nevertheless, the long-term financial hurdles the paper faces are daunting. According to TNS Media Intelligence, before Katrina the paper published about eighty pages in a non-Sunday issue,

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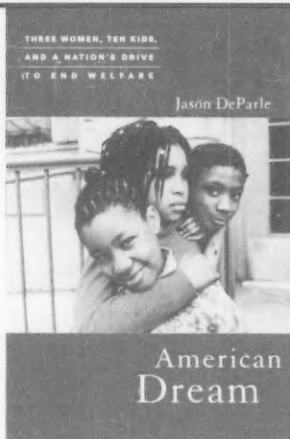
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and grossed about \$9 million a month in ad revenue. By mid-October, the paper had worked some of its zoned editions back to prestorm size. But while it had increased display ads substantially, its classifieds and supplements were still at a fledgling level, and by any estimate the paper was still well short of its prestorm revenue. Both Phelps and Newhouse declined to provide CJR with exact numbers on the paper's poststorm financial performance, saying that the situation remained too chaotic to get an accurate fix. The paper was justifiably proud of nursing its circulation up to about 185,000, but the real issue is advertising, which traditionally supplies about 75 percent to 80 percent of newspaper revenues. A prolonged drop in ad revenue and paid circulation would certainly suggest a paper with a significantly smaller staff than before the storm. Phelps, though, declined to make that prediction, and said that for now any staff reductions will come through natural attrition, mainly support personnel who choose not to return to the city. In general, all Phelps would concede was that if New Orleans doesn't rebound commercially over the long haul, the *Picayune* will have to adjust.

Just how affected New Orleans will be in time remains uncertain. An analysis made by one New York investment fund suggests the city may struggle for several years, losing a significant portion of its white-collar professional class. In late September, even Ray Nagin, the mayor of New Orleans, predicted that the city might rebound to only about half its old popula-

tion base, a comment that Steven Newhouse, head of Advance's Internet operations, described as stunning. "I couldn't believe he said that," Newhouse told me. "It just makes no sense with everything in flux."

A FLOOD FORETOLD

In 2003, when the American Society of Newspaper Editors asked Jim Amoss what he worried the most about, he put hurricanes first on the list. It is one of the ironies of *The Times-Picayune's* position that it, more than any other private or public institution, predicted what could happen to New Orleans in the event of a major hurricane. In 2002, the paper focused one of its famous series on the city's vulnerability to a direct hit from a major hurricane. "Washing Away" envisioned breached levies, the city filling with water, and the difficulties in evacuating tens of thousands of poor citizens who lacked the means to escape. Like Cassandra's, its warning went largely unheeded.

The paper did have its own hurricane plan of sorts. After Hurricane Georges in 1998, it was decided that with the next strong hurricane production would move into a small interior space on the third floor of the paper's headquarters, protecting it from wind damage and water. The plan, however, did not take into account the kind of flooding caused by Katrina. For example, while the generator was on the third floor, key circuits down on the first floor were vulnerable. By the time the staff awoke in the *Picayune* building early Tuesday morning after the storm — they

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had sheltered there with their families the day before — the water was threatening to invade the building. While there was some reluctance to leave, the situation looked increasingly dire. So Phelps ordered that the paper's fleet of delivery trucks be assembled at the paper's loading dock to ferry the approximately 250 staff people and family members out of the city. Phelps told everyone to bring only "what would fit on their laps."

Riding in the back of the last truck, David Meeks felt as if they were abandoning the city. As the convoy made its way toward a bridge over the Mississippi River he noticed that much of uptown New Orleans, the largely affluent section nearest to the river, was dry. On the outskirts of town, Meeks approached Amoss with a proposal: What if he and a team of volunteers agreed to go back in? After asking a few logistical questions, Amoss agreed to the plan. Meeks had plenty of volunteers, including the paper's editorial-page editor, art critic, and religion writer. In all, eight *Picayune* reporters and one photographer agreed to plunge back into the flooded city. The paper lent them a delivery truck. But other than that, they were on their own.

The first week was particularly harrowing. Moving from house to house, the group tried to find working phone lines and avoid gangs of looters. One day right before deadline, all communications went down and the reporters had to race sixty miles outside the city to file, finishing their stories in the back of the delivery truck on the way. As things grew more desperate, holding onto the truck itself became a concern, and Meeks was careful not to expose it to crowds.

On the Friday after the storm, when he and the reporter Trymaine Lee (who had stayed in the city all along) went to the Convention Center to pass out the first print edition of *The Times-Picayune*, Meeks was careful to park a few blocks away. At the Convention Center, people mobbed them, desperate for the newspaper as if it were food or water.

By the time I caught up with the New Orleans crew a couple of weeks after the storm, things had settled down and the "bureau" had the feel of an extended campout. The rattle of the house's 5,700-watt generator could be heard up the block and dozens of bright-red gas cans were lined up along a broken backyard fence, where house laundry was placed to dry. Inside, droning fans pushed the thick air around, and bottles of rum and Southern Comfort competed for shelf space with jumbo packs of paper towels and military rations (the Captain's Chicken was good, the Thai Chicken sucked). On the floor, a care package from *Field & Stream* magazine contained a case of "Combat Bath: Full Body Cleansing in a Waterless Environment." A crew of often-shirtless reporters banged away on their laptops, under the watchful eyes of a rescued Carson, the bureau's unof-

ficial guard dog. Out of sight, and never used, were a shotgun and a .357 Magnum the group had been lent in case of trouble.

At night they slept on mattresses on the floor in stifling heat and humidity. Most were reluctant to rotate out when offered the chance.

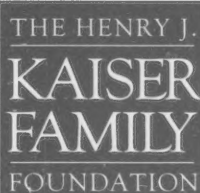
By mid-October, "Fort Picayune" had closed and the paper was in the process of reclaiming its New Orleans headquarters. Though the city was officially open for business, it remained oddly quiet, its citizens slow to return, a discouraging sign to many. But the *Picayune* staff was back to nearly full strength, at least for the time being, and seemed anxious to take on the challenges to come.

Those challenges will be formidable. New Orleans needs a newspaper like never before, to talk to itself about planning and rebuilding, about the direction of its healing economy, about outstanding environmental questions, about its devastated housing, its wounded police force, its image. A surge of money almost as deep as the floodwaters of Katrina is coming, and in a place noted for public corruption and waste, accounting for that largess and documenting whether it gets to the people and neighborhoods that need it will pose a reporting challenge nearly as tough as covering the storm itself, and just as vital. The paper's hardest work, it seems, is yet to come.

What toll these arduous weeks have taken and will take yet on the *Picayune* staff is unclear. Most told me that they had cried more than once while covering the story. Shortly after the paper temporarily relocated to Baton Rouge, a counselor specializing in post-traumatic stress disorder came in to talk to the staff. Gathering in the front room, amid cardboard boxes stuffed with clothes, shaving cream, baby wipes, and safety razors, the counselor asked each person to describe his or her strongest fear to the group. When his turn came, Jim Amoss said his biggest fear was that New Orleans was never going to be the same, that something would be forever broken. "It's such a precarious thing," Amoss told me one day, sitting at the folding tables that serve as the paper's conference room. "It's not transportable. If we were to live in a new city like Baton Rouge, or Atlanta . . ." He thought for a moment. "That's like traveling to a different country." When we spoke, Amoss thought the future of New Orleans still hung in the balance. "It's a lot about perceptions," Amoss said. "I think it will come back the way it was. I'm optimistic." I asked if he were speaking as a clear-eyed newsman or as a civic booster. "Is it propaganda, you mean? No, if people believe that it will come back, it will."

At that moment I realized I wasn't sure whether Amoss was talking about *The Times-Picayune* or New Orleans itself, and thought to ask him. Then I realized it probably didn't make any difference. ■

Douglas McCollam is a contributing editor to *CJR*.



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One of America's most influential judges seems to take a dim view of journalism, but the record reveals a more complicated case

JUDGING RICHARD

BY JOHN GIUFFO

Chris Bernacchi
Cindy Ferrier stands when the judge calls her name and takes the podium quickly and confidently. She sets a binder on the ledge, identifies herself to the three-judge panel of the Seventh Circuit Court of Appeals, and prepares to defend a post-9/11 deportation order.

A Moroccan immigrant named Jellal Benslimane is being deported because of a missing form, and he's here today to appeal the immigration judge's order. The immigration court wanted the government to turn over a copy of the form, which Benslimane had earlier submitted, but the Justice Department (representing the Department of Homeland Security, which had absorbed the Immigration and Naturalization Service) declined. No reason — it just didn't turn over the evidence. So now Ferrier, a Justice Department attorney, is in this Chicago courtroom defending her superiors' recalcitrance.

Judge Richard Posner waits, cheek on hand, while a fellow judge questions the young lawyer. This particular late September Friday has been slow, routine, but when the subject of the missing form is broached, Posner leans in, his indignation more audible than visible.

"Why didn't DHS give him a copy?"

"It's clear from the record that the judge was frustrated with DHS," Ferrier concedes.

"Look, I don't understand. He files the thing. The DHS has a copy. It loses the copy. So you're going to deport a person because you lost it?"

"Oh, I don't think DHS . . ."

"Pardon me, you *didn't* lose the copy? You have the copy?"

"What is happening is that . . ."

"You have the copy?"

"DHS . . . INS . . . at that point there was . . . at that point . . ." She stammers and explains that "there was some confusion."

Posner looks exasperated. "Do you have any idea of what we are doing to these appeals? Does the Justice Department have any idea of what is happening to your cases in this court?"

Having come prepared to defend one immigration case, Ferrier finds herself discussing the Justice Department's deportation proceedings as a whole. "I believe that . . . I believe that they are aware. Yes."

This uneasy scene continues for a few minutes. Ferrier holds tight to the podium until the small red bulb near her right hand is lit, signaling that her time is up.

Posner sends her packing with a message to her bosses: clean up your act.

Judges are not wallflowers, but Posner's pugnacity and impatience, his willingness to confront bureaucracy with practicality, and his tendency to catch people off-guard are attributes for which he has become known. There are others: Posner is the most prolific federal judge in American history. In addition to more than 2,200 published opinions, he's written thirty-eight books on a dizzying array of topics, from Monicagate to aging to intelligence reform, and more than 300 articles, op-ed pieces, reviews, and essays — including a recent blockbuster about the press. Along with Gary Becker, a Nobel economist in the monetarist Milton Friedman mold, he maintains a blog (www.becker-posner-blog.com) on which they tag-team on the finer points of everything from plagiarism to whether it's cost-benefi-

In response to Posner's essay, *Times* editor Bill Keller wrote a fiery letter to his own newspaper. "Posner pissed me off, frankly," he says.

cial to fully rebuild New Orleans. He's a professor at the University of Chicago Law School. He edits the *American Law and Economics Review* and is the founder of the *Journal of Legal Studies*.

In legal circles, he's best known as an architect of, and primary cheerleader for, a market-deterministic school of legal thought known as "law and economics," an extension of the Friedman philosophy that seeks to explain behavior and mediate disputes according to economic rules. Posner brought economic ideas into law in a new way, and he has had an enormous impact. "Posner is one of the most influential judges in the country," says Floyd Abrams, the First Amendment lawyer, echoing the opinion of almost everyone I spoke to who has an opinion about the judge. "What he says is often not only read but taken serious account of by judges who sit far from the Seventh Circuit."

That's not particularly good news for journalists since Posner, in recent years, has brought his influence — and his pugnacity — to bear on the press. Posner seems to have little use for the notion that news is a product that deserves a higher legal status than, say, jet engines or soybeans. One influential opinion attached a heavy chain around the neck of the hope that the Supreme Court will grant journalists the right to remain silent about sources when prosecutors come calling. Another opinion threatens to strip First Amendment protections from student journalists. Yet when you study the record, a Judge Richard Posner emerges who has also, at times,

been a staunch defender of newsgathering, including investigative reporting. So, journalistically speaking, he's complicated.

We get a view into Posner's thinking about the press from an essay, "Bad News," that he recently wrote for *The New York Times Book Review*. It was ambitious: a five-thousand-word attempt to explain all the news industry's woes in one grand unified theory, ostensibly using eight widely varied books about the press as a jumping-off point. The essay falls on its face. It's a mix of perceptive observations, unsupported assertions, and some tortured logic, all seen through a market-oriented lens that often seems inadequate for the job.

Posner begins by restating the competing ideological critiques of the news media, segues into a theoretical economic explanation for news bias, attributes much of the press's woes to its inability to compete with the blogosphere, and ends by arguing that since the situation is mainly the product of economic forces and technological challenges, and that since elites who care a lot about news and issues (most people don't, he says) are being well served, "maybe there isn't much to fret about."

In response to Posner's argument, Bill Keller, the *Times*'s executive editor, wrote a fiery letter to his own newspaper, calling Posner's essay "mostly a regurgitation, as tendentious and cynical as the worst of the books he consumed." He accused the judge of not making "distinctions within the vast category of American media," of swallowing "almost uncritically the conventional hogwash of partisan critics on both sides," and of the misguided application of market determinism principles to his analysis of media behavior. Harsh stuff, made all the harsher for its lack of precedent. No executive editor in the paper's 154-year history has ever been so at odds with a piece as to prompt an intramural flame war.

"Posner pissed me off, frankly," says Keller, in an interview not long after his letter was printed. "I'm not objecting to the fact that we ran the piece — this is an argument that exists in the world, and it might as well exist in our pages. Having run it, I wanted to make sure it was answered." Posner, who was approached by a *Times* editor to write the piece in the first place, was taken aback by Keller's blast. "I thought it was preposterous," he tells me. "It made Keller sound as if he didn't have any control over his own newspaper."

Keller was hardly the only journalist to take a shot at the essay. Along with his letter, the August 21 *Book Review* included angry ones from, among others, Bill Moyers, who criticized Posner's denigration of "the people's need to know," and Eric Alterman, who accused Posner of "ideological sleight of hand." That's not to mention a number of online articles and blog posts. Jack Shafer, in his August 1 *Slate* column, cited numerous weaknesses in "Bad News." Among other things, he pulled apart Posner's assertion that eroding trust in the news media, as measured between 1973 and 2002, was partly due to

the fact that "blogs have exposed errors by the mainstream media that might otherwise have gone undiscovered." Shafer pointed out that blogs hadn't entered the mainstream consciousness before 2002, and details a Nexis search to support his argument.

A general lack of factual support is one of the chief flaws of "Bad News." Posner makes statements like, "The rise of the conservative Fox News Channel caused CNN to shift to the left" — a unique and interesting idea, subscribed to by almost no one, and presented with absolutely no support other than Posner's faith in its obviousness.

"You can't really give evidence with the space they gave me," Posner tells me. "They gave me a five-thousand-word limit." Besides, he continues, "journalists don't provide support for what they say, why should I?" Such statements leave Posner open to charges of hostility to the press and a lack of understanding of its values and mission.

So do some of his rulings. "Judge Posner is certainly no fan of the press and no admirer of broad rulings of the Supreme Court, including those by Justice William Brennan, for whom he clerked, protecting the press," says Floyd Abrams. "It seems to me there is a certain sourness, even bile, in much of his discussion of the behavior of the press."

Abrams seems to have a point. Brennan voted in 1972 with the minority in *Branzburg v. Hayes*, a historic case in which the majority rejected the idea that reporters should not have to testify about their sources in criminal cases. But many Supreme Court observers say the Court kept the door open for such protections in the future with a concurring opinion by Justice Lewis Powell. It said developments in the law might give rise to a court-recognized reporters' privilege, freeing them from having to reveal their sources in most situations. First Amendment advocates maintain that the spread of state shield laws — thirty-one states and the District of Columbia now have them — are the "developments" Powell foresaw.

But Posner dismissed the notion, in a 2003 case called *McKevitt v. Pallasch*, in which an Irish court wanted interview tapes from three Chicago newspaper reporters who were working together on a book. They eventually surrendered their tapes. But that didn't stop Posner from issuing an opinion after the case was closed that dismissed most of post-*Branzburg* case law. "There was this terrible misunderstanding by the lower middle courts of *Branzburg*," Posner says. "There's no privilege. The Supreme Court says there's no privilege."

Posner defends the timing of the opinion, in which he spoke for the full court, saying it's not unusual for a court to explain its reasoning after a decision has been delivered, as was the case here. But others are troubled by the manner in which the opinion was rendered. "The *McKevitt* decision was one of several things that finally eviscerated any claim we had to a reporter's privilege under the First Amendment," says Lucy Dalglish, executive director of the Reporters Committee for Freedom of the Press. "What I personally found offensive was that the decision came out of nowhere — no briefing, no oral arguments." Victor Kovner, a partner at Davis, Wright and Tremain, who wrote an *amici* brief in support of Pallasch, says that "Posner, unfortunately, read *Branzburg* broadly — overbroadly, in our opinion, and rejected a host of post-*Branzburg* jurisprudence — without the benefit of a briefing, without the benefit of hearing from the press."

But beyond arguing that the Supreme Court never sanctioned a reporter's privilege, Posner, in explaining his thinking to me, goes one step further and insists there shouldn't be such a privilege, that a reporter's need to get access to sensitive information about government should be weighed against the needs of prosecutors. "With a reporter's privilege, if you can hide your sources, how do we know that your reporting is ac-

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curate?" Posner asks. "Your sources may be major criminals, or the information they are secreting is information that might have great value."

Posner believes that sources will continue to leak sensitive information even if the reporters they leak to can be prosecuted for failing to name the source.


When I asked him how he would have voted in the Pentagon Papers case, Posner answers: "I'd be inclined to be of the view that the government can prevent the publication of classified materials. I would think that if it's unlawful for Daniel Ellsberg to take these documents out of the Pentagon, then I think it would be equally improper for a newspaper to publish the material."

Posner doesn't seem very impressed with journalists, or with arguments that their central watchdog function should provide them any special legal protection. His disdain for moral arguments about journalism's role in society (he finds morality to be a poor tool in the law in general) is evident in another recent Seventh Circuit decision, *Hosty v. Carter*. The ruling seems to extend the First Amendment-abridging reasoning the Supreme Court laid out in the controversial 1988 decision about high school journalism, *Hazelwood v. Kuhlmeier*, to the university level. In *Hazelwood*, Justice Byron White, writing for the majority, argued, "educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their

actions are reasonably related to legitimate pedagogical concerns." Critics say *Hosty* tempts college administrators with the same right of prior review.

Posner explains his thinking on this in terms of the market, creatively injecting into the mixture issues of competition for tuition dollars between public and private schools. "I think whenever you have a public and private sector providing basically identical services, you don't want the law to treat the two differently, otherwise you destroy the competitive balance," he explains, pointing out that since private universities can censor, public schools that can't are in an unfair competitive position. "Market concerns," he says, "should be weighed with the First Amendment rights of college journalists."

Judge Posner's chambers, on the twenty-seventh floor of the Dirksen Federal Building, are covered with the byproducts of the practice of law. That's where I wait for Posner one Friday in late September, while he confers with his two colleagues about the morning's arguments. I scan the room for traces of personality amid the spines and sheets. Evidence books and briefs are piled on a side table near his green leather sofa — the least cluttered corner of his office. His blinds are drawn, and I ask his assistant, Charlene Purcell, if that's Lake Michigan I glimpse through the slats. "Yes!" she says excitedly, and steps over a cart laden with law to raise the dull white blinds. "But the judge doesn't re-



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ally pay attention to that sort of thing," she says. "He's usually focused on his work." The blinds slide up, the lake sparkles below; white sailboats sprinkle the water in the marina just beyond Millennium Park. It should be against the law to leave such windows shrouded.

One shelf is chock-a-block with personal snapshots — an island of familial warmth in a sea of cold legal thought. On another wall hangs a portrait of Posner by Martin Schoeller from the December 2001 *New Yorker*, which accompanied a profile by Larissa MacFarquhar that painted a portrait of a complex and emotionally tone-deaf man. In the photo, he stands stiff, unsmiling, in a doorway holding his beloved cat, Dinah, who seems to be slipping out of his hands in the way that cats who don't like to be held fight their way out of hugs. "I have exactly the same personality as my cat," he told MacFarquhar. "I am cold, furtive, callous, snobbish, selfish, and playful, but with a streak of cruelty." Multiple copies of two of his collected works, one in Spanish, the other in Japanese, are stacked just below the portrait, ready to catch Dinah should she fall out of the frame.

Soon enough Posner returns and we ride a private elevator to street level, cross Jackson Avenue, and settle into a sumptuous lunch at the Standard Club — a regular haunt, where the waiters greet him with "good afternoon, your honor," and fellow club members nod in solemn recognition: "Judge. How are you?"

Between bites of shrimp, I ask him about the Schoeller print, and he relates the story of asking for a copy and being told the going rate was \$1,500. At this, he was taken aback, and he asked an editor at *The New Yorker* if there wasn't anything that could be done to bring down the price. Shortly afterward, the photo agency informed him that he could have two prints for \$65 — market determinism at work.

Posner the lunch companion is worlds away from Posner the judicial Goliath. He's quiet, a patient listener when questioned, and quick to laugh. He's enthusiastic about his work, and he's excited about his new book, *Preventing Surprise Attacks: Intelligence Reform in the Wake of 9/11*. With a lighter load this fall — he's not teaching this semester — he's looking forward to the extra time.

There are more articles and blog posts waiting to be written. "Instead of playing golf, I write," he tells me. "It's a peculiar type of leisure-time activity."

Edward Morrison, one of Posner's clerks during the 2000-2001 session and now a Columbia University law professor, calls his former boss "a leading light of the law." "Many students entering law school know about Judge Posner," he says, "and by the end of their first year, I would say every student knows about Judge Posner."

Norman Dorsen, a former president of the American Civil Liberties Union and a longtime New York University law professor who helped write the petitioner's brief in *Roe v. Wade*, praises Posner's intellect. "Brennan was a friend of mine, and he said to me once that he only met two geniuses in all his years. One was Justice William O. Douglas, and the other was Dick Posner," Dorsen says. "Brennan wouldn't have used the word genius lightly."

Nevertheless, Dorsen attributes Posner's shortcomings to the very thing that makes him remarkable — his output. "His biggest problem, despite his almost Herculean talents, is that he writes so much, on so many different subjects, that he gets sometimes less effective than his talents would permit."

Critics also complain about what they say is Pos-

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ner's occasionally contorted logic. The Chicago Council of Lawyers, in a 1994 evaluation of Posner's record and reputation conducted for lawyers to gauge the judges of the Seventh Circuit, found that "Judge Posner often looks for ways to modify or overturn settled precedent when he does not care for the outcome that precedent might dictate." After speaking to a host of lawyers, former clerks, and others, the council described his style as occasionally "flip and breezy, conveying the impression that the litigants' concerns are not important."

The council also argued: "His frequent abridgment of the facts has provoked negative comments from his colleagues . . . this approach leaves Judge Posner open to the charge that he distorts the facts to fit a desired outcome."

Posner disagrees. "I've written more than two thousand opinions," he explains. "The vast majority are majority opinions; the vast majority are unanimous. I don't remember any colleague of mine having said I doctored the facts."

The council was also critical of Posner's law-and-economics views when, as his critics argue, the market proves less than ideal for explaining behavior effectively, as with civil rights or sexual politics. Posner's critics say that his perspective can lead him down Alice's rabbit hole — to serious discussions of whether babies up for adoption should go to the highest bidder, for example (in 1978), or to odd theories of the economic causes of obesity in black women (a market lack — through imprisonment — of available black men, causing black women to let themselves go, he wrote in a 2003 article titled "The Long-Run Growth in Obesity as a Function of Technological Change").

Posner doesn't worry much about criticism, and he's not fazed by the council's report. "You have here some anonymous people who are talking to the Chicago Council of Lawyers. How much credence should we put on these people?" he says. "They can be sore losers. They can be crybabies."

When it comes to the press and First Amendment issues, meanwhile, the judge cannot be pigeonholed. There are times when he seems guided not by the market but instead by simple pragmatism. In a much-lauded opinion from 2001 that helped extend First Amendment protections to video games, Posner, writing for the majority, dismissed Indianapolis city officials' attempts to limit the access children have to violent video games, and argued, "To shield children right up to the age of eighteen from exposure to violent descriptions and images would not only be quixotic but deforming; it would leave them unequipped to cope with the world as we know it." The Supreme Court later denied an appeal.

A year earlier, in *Desnick v. ABC*, Posner, again writing for the majority, affirmed Sam Donaldson's and ABC's ability to go undercover to expose medical scams. ABC News had sent undercover testers to pose as patients. The plaintiff sued ABC, but the district court found that ABC exhibited no "actual malice." The clinic appealed to Posner's court, but Posner wasn't buying. "ABC was not reckless in stating . . . facts establishing a pattern of herding elderly patients into unneeded cataract surgery," Posner wrote, thereby protecting a journalistic tradition of going undercover that goes back to Nellie Bly.

Then there's Posner's defense in 1993 of one of the basic tenets of long-form journalism — the ability to use a case study involving unwilling subjects to make a broader argument. In *Haynes v. Alfred A. Knopf*, he wrote the majority opinion, which found Nicholas Lemann, now the dean of Columbia's journalism school, not guilty of libel and invasion of privacy in publishing his 1991 book, *The Promised Land: The Great Black Migration and How It Changed America*. In the book, Lemann used personal history and family details of Luther and Dorothy Haynes to illustrate larger trends about migration patterns, and the Hayneses, un-

happy to have been used as Lemann's illustration, sued. Posner, in his affirmation of a lower court ruling, wrote, "Lemann's methodology places the individual case history at center stage. If he cannot tell the story of Ruby Daniels [Haynes's ex-wife and one of the women at the center of the book] without waivers from every person who she thinks did her wrong, he cannot write this book."

Haynes is "a rather ringing defense of the right to use people's lives to illustrate important social economic trends," says David Anderson, a law professor at the University of Texas and a former journalist and editor of the *Texas Law Review*. "That case has been quite influential, and has had a very salutary effect on the freedom of the press."

"I was completely and absolutely thrilled," says Lemann, who takes care to say, though, that his experience isn't the norm when it comes to Posner's First Amendment decisions: "It was somewhat un-Posner-like."

So which is the real Posner? The privilege-gutting keeper of governmental secrets, ready to throw reporters in jail for resisting the prosecutorial demands of the Irish legal system, or the investigative-journalism-defending avatar of the people's right to know what Sam Donaldson finds out undercover? Both, really. Posner navigates his own way through the shoals of jurisprudence with his faith in his intellect as his primary guide.

Indeed, one thread that connects all of his disparate writings and unpredictable decisions is his absolute faith in himself and his interpretive powers. In *Breaking the Deadlock*, his rushed-to-print book about the Supreme Court's decision in *Bush v. Gore*, and in a subsequent, heated exchange in 2001 with Alan Dershowitz on *Slate*, Posner defended the Supreme Court's decision not on legal grounds, which he conceded were questionable, but on the ground that the Court's actions reflected a valid but unacknowledged motivation: namely, averting the dread "constitutional crisis."

Posner argues further that "candor is a scarce commodity in judicial opinions," while, at the same time, maintaining that obfuscation doesn't necessarily de-legitimize the opinion. "These are public documents, and no public document is going to be fully candid." He's quick, however, to set himself apart from those types of judges. "I do try to be candid; I try not to hide my reasoning," he tells me. "I don't think my opinions really read like the opinions of other judges. Most judicial opinions have a lot of hot air in them."

So Posner is an expert on other judges' opinions, too. Nothing seems to faze him: natural catastrophe, the Supreme Court's decision in the 2000 election, the Clinton impeachment, the 9/11 commission report, *The Problematics of Moral and Legal Theory*, sex, antitrust law, economics. The self-assuredness that leads Posner down so many different paths is the same confidence that leads him to believe that, until he weighed in, judges and lawyers have simply been *confused* about *Branzburg* these thirty-three years.

Still, for every decision that hints at a rigidity in his thinking, I find an article or opinion that contradicts it. Posner confounds categorization. He's not a water-carrier, he's not a true ideologue, he's not even a pure free-marketeer. He's trying to convince us all — lawyers, students, his readers, and now journalists — that moral reasoning, idealism, and the entire messy spectrum of human feeling are all imperfect ways of ordering the law. He's just looking for the mathematical formula to prove it. ■

John Giuffo, a former assistant editor at CJR, is a freelance writer.

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DRUG TEST



RAYMOND VERDAGUER

BY DANIEL SCHULMAN

On May 18, 2004, the Institute of Medicine, a branch of the prestigious National Academies, delivered its eighth and final report on vaccine safety, seeking to end a scientific controversy that had built to a slow boil over the previous five years: whether a mercury-containing vaccine preservative called thimerosal was to blame for an alarming spike in autism cases among a generation of

children. After three years of reviewing this and other immunization safety questions on behalf of the Centers for Disease Control and Prevention, the institute's fourteen-member panel rejected the thimerosal link, and, in a powerful policy statement, recommended that research funding in this area be shifted toward other, more promising lines of inquiry. Under headlines such as this one from *The Washington Post*, EXPERTS FIND NO

VACCINE-AUTISM LINK; PANEL SAYS MORE RESEARCH ON POSSIBLE CONNECTION MAY NOT BE WORTHWHILE, the press dutifully reported the IOM's conclusions, perhaps as eager to lay the question to rest as the IOM panel itself.

For a time it appeared the controversy over thimerosal would end there. It didn't. Over the past seven months, it has gained traction again, leaving journalists in an awkward position. The thimerosal question — scientifically, politically, and emotionally complex — is proving to be a test for journalism, and the successes and failures are evident in the coverage.

David Kirby, a Brooklyn-based writer, jumpstarted the debate in April with the publication of his book, *Evidence of Harm*, which lays out a compelling case for a connection between thimerosal and autism. Then, in June, Robert Kennedy Jr. followed with a more pointed — some say over-the-top — article, co-published by *Rolling Stone* and *Salon.com*, that alleges what amounts to a government cover-up of the harmful properties of thimerosal in the interest of buffering vaccine manufacturers from a cascade of lawsuits and maintaining public confidence in the national immunization program.

Still, the bulk of the scientific establishment denies the autism link, citing the conclusions of the IOM panel, and views believers as crackpots, conspiracy theorists, or zealots — a perspective many medical experts barely conceal in conversations with reporters. In an interview with Myron Levin of the *Los Angeles Times* after the publication of the IOM report, Dr. Stephen Cochi, the head of the CDC's national immunization program, dismissed supporters of the thimerosal theory as "junk scientists and charlatans." If so, then such universities as Harvard and Columbia, among others, employ charlatans — scientists who believe that a link between mercury exposure and autism is plausible. Even so, the perception that only distraught, activist parents and disreputable scientists back the thimerosal theory has seeped into the collective consciousness of the news media, which, in general, have been reluctant to cover the controversy.

Both sides in the debate make convincing arguments to support their cases, and in the cacophony of competing claims each is guilty of using data selectively. What is known is this: Since the late 1980s the number of children diagnosed with autism has increased sixty-fold, from one in every 10,000 in 1987 to one in every 166 in 2003. Much of this spike overlaps with a period when, due to recommendations by the CDC and the Food and Drug Administration, the number of suggested immunizations on the childhood vaccination schedule more than doubled, raising the doses of mercury that some children received to levels that far surpassed federal standards for mercury exposure. (The standards were based on methylmercury, the type emitted by coal-burning power plants. Ethylmercury, which makes up nearly half of thimerosal by weight, is a closely related compound. To date, ethylmercury has received far less study, and

scientists disagree on whether it's as harmful as methylmercury, though both are considered neurotoxins.) Until the late 1990s, health officials were unaware of the total amount of mercury children were receiving in their vaccinations. It's not unreasonable to ask how this went unnoticed, and unreported, for so long. The answer is simple: no one had ever done the arithmetic. When scientists did, the U.S. Public Health Service recommended that vaccine manufacturers phase out thimerosal from children's vaccines in 1999 as a precaution. It was careful to note, however, that "there are no data or evidence of any harm." As it stands, the preservative, which allowed drug manufacturers to supply vaccines in multidose vials (the thimerosal-free, single-dose versions are costlier), has been eliminated from most immunizations, excluding some flu and tetanus shots. Dur-

The number of children diagnosed with autism has increased from one in every 10,000 in 1987, to one in every 166 in 2003.

ing 1999 and 2000, the thimerosal link was quietly under study by the CDC, and, as shown in internal memos and meeting minutes, health officials were deeply concerned about what they might find.

Thimerosal activists point to this history: In June 2000, the CDC convened a closed meeting at the Simpsonwood Convention Center in Norcross, Georgia, to discuss, among other things, preliminary findings on thimerosal. In addition to the health officials, researchers, and vaccine experts in attendance were representatives from Glaxo-SmithKline, Merck, Wyeth, and Aventis Pasteur, the vaccine manufacturers who had the most to lose if an autism link were proven. During one session of the two-day meeting, the CDC epidemiologist Thomas Verstraeten presented the results of an analysis of the CDC's Vaccine Safety Datalink, a database that contains the vaccination histories of more than seven million Americans. His study, at least at that stage, appeared to support a connection between thimerosal and neurodevelopmental disorders, showing what Verstraeten described as "statistically significant relationships between exposures and outcomes." The presentation caused one physician in attendance to remark, "the medical legal findings in this study, causal or not, are horrendous." Attendees were instructed that what they'd heard that day was to be considered "embargoed."

Known as the Simpsonwood transcripts, the minutes of this meeting are widely available on the Internet thanks to a Freedom of Information Act request by the autism advocacy group SafeMinds. Some advocates

of the thimerosal theory point to Simpsonwood as proof that the government buried evidence of an autism link. In the minds of some supporters of the theory, the perception of conspiracy was heightened when Verstraeten's study, published three years later, no longer indicated an association between thimerosal and neurological maladies, including autism. Adding to their suspicion is the fact that in the study, published in the journal *Pediatrics*, Verstraeten was listed as a CDC researcher, when in fact he had been hired away by GlaxoSmithKline two years earlier. (Nor did they find it any less suspicious when a midnight rider turned up in a 2002 bill creating the Department of

Several reporters who have covered the thimerosal controversy described the *Times* piece as a smear. One called it a 'hit piece.'

Homeland Security that sought to protect vaccine manufactures from thimerosal-related lawsuits. The measure was eventually removed.)

But Simpsonwood is not a smoking gun. Nor are other documents that purport to be, including the transcript of a private session of the Institute of Medicine's Immunization Safety Review Committee from 2001, in which the committee's chairwoman, Dr. Marie McCormick, referring to the vaccine-thimerosal issue, says that the CDC "wants us to declare, well, these things are pretty safe on a population basis." It is a statement that indicates to some that the IOM had already decided where it was going to come down on thimerosal. If transcripts of both meetings are not damning, the comments of some attendees are striking, particularly when they are quick to note the legal ramifications should a connection be established. As McCormick makes plain during the 2001 meeting, attendees were aware of the conclusion that the CDC wanted them to reach, but that isn't proof that the institute manipulated data to reach that end, as some allege.

When the IOM panel released its final report in 2004, it had analyzed more than 200 studies and based its conclusions largely on five recent epidemiological papers that appeared to debunk the autism connection, including Verstraeten's and one from Denmark that shows autism cases rising after thimerosal was removed from that country's vaccine supply. Excluded was much of the biological research that supports a link, which the IOM deemed speculative.

Those are the facts, though they are interpreted in radically different ways by each side. Even the question of

whether the nation is currently experiencing an autism epidemic is subject to debate. Detractors posit that the increase in cases is a red herring, that the numbers reflect changes in how autism is diagnosed and reported. As for the IOM report — the nail in the coffin for the autism link as far as many scientists are concerned — believers hold that the studies that the panel relied on were flawed. For example, as David Kirby reports in *Evidence of Harm*, the researchers on the Danish study examined autism cases both before and after 1992, when thimerosal was removed, but used two different data sets in doing so, tallying inpatient cases through 1994 and adding outpatient cases to their count thereafter, a factor that could explain the increase they observed. According to Kirby, even the study's authors conceded, in their own words, that they "may have spuriously increased the apparent number of autism cases." Verstraeten, for his part, seemed to grow tired of how his findings were being interpreted by both sides. In an April 2004 letter to *Pediatrics*, he wrote that his study "does not state that we found evidence against an association, as a negative study would. It does state, on the contrary, that additional study is recommended, which is the conclusion to which a neutral study must come." He went on to call allegations of a potential conflict of interest an "insult," saying that he remained on the study only in an advisory capacity after he went to work for Glaxo. "Did the CDC water down the original results? It did not."

Steeped in controversy and intrigue, the thimerosal debate has all the makings of a compelling news story, yet it has been approached with caution by the news media, which, more often than not, don't portray it as a legitimate scientific debate. "I'm putting my faith . . . in the Institute of Medicine," ABC's medical editor, Dr. Timothy Johnson, told viewers during a segment on thimerosal in July. At the conclusion of an NBC report on the debate last winter, the science correspondent Robert Bazell was careful to note that "if we stop vaccinating our children, we run the risk of having these horrible diseases come back . . . And the evidence right now is that vaccines do not cause autism."

There is a very real fear that taking the thimerosal theory seriously will prompt antivaccine blowback. Myron Levin, the *Los Angeles Times* reporter, said that some journalists have been cowed by the notion that "by the mere act of covering this, they will instill panic in the vaccination-getting public, or feed mindless phobias that cause people to refuse to let their kids get shots." That concern is reflected in the coverage and has implications for how deeply the story is reported. "I think many news organizations have held back and given the story short shrift," Levin said.

On June 25, *The New York Times* addressed the thimerosal controversy in a front-page article, the product of five months of reporting by Gardiner Harris and Anahad O'Connor. Appearing less than two weeks after

Robert Kennedy's piece, which would later have a list of corrections and clarifications appended to it, the *Times* article had been eagerly awaited by proponents of the thimerosal link, some of whom had been communicating regularly with the *Times* reporters over the previous months. Believing that the heft of the paper's reputation would help to propel their cause into the mainstream, they expected a proper airing of both sides of the question — that, after all, was the impression O'Connor gave at least one of his sources, the mother of an autistic child and a member of an autism advocacy organization, when he approached her in late January. "I'm thinking of a 2,000-word story, essentially saying that an array of studies over the years (the Institute of Medicine report, I would think, being the most prominent) were intended to settle the issue of autism and vaccines once and for all," he wrote in an e-mail. "Yet it seems that the question is still very much open . . . and evidence for the case against vaccines has been mounting, despite many researchers' insistence that the issue is dead. I think, for now at least, I'd like to just present the evidence on both sides and let the readers decide."

The result was much more one-sided. Headlined ON AUTISM'S CAUSE, IT'S PARENTS VS. RESEARCH, the story cast the thimerosal connection as a fringe theory, without scientific merit, held aloft by angry, desperate parents. The notion that supporters of the theory were disregarding irrefutable scientific findings was an underlying theme, drilled home several times. "It's really terrifying, the scientific illiteracy that supports these suspicions," Dr. Marie McCormick told the *Times*. Readers were left with little option but to believe that the case against thimerosal was scientifically unsound.

The piece did note the work of Mark and David Geier, a father-son research team who believe that mercury exposure is linked to autism. The Geiers's research has been a lightning rod for criticism, and their methodology has been called into question by some in the scientific community. But before the reporters even discussed the Geiers's science, they had already painted the researchers as eccentric outsiders: "He and his son live and work in a two-story house in suburban Maryland. Past the kitchen and down the stairs is a room with cast-off, unplugged laboratory equipment, wall-to-wall carpeting and faux wood paneling that Dr. Geier calls 'a world-class lab — every bit as good as anything at N.I.H.'" Omitted from the story was the work of Dr. Mady Hornig, a Columbia University epidemiologist; Richard Deth, a Northeastern University pharmacologist; Jill James, a professor of pediatrics at the University of Arkansas; and others whose work suggests that thimerosal may cause neurodevelopmental disorders in a subset of susceptible children (those who are not able to eliminate mercury from the body in the ways that most people do). The story alluded to Boyd Haley, chairman of the department of chemistry at the University of Kentucky and an ally of thimerosal activists, in the same

sentence as a Louisiana physician who believes "that God spoke to her through an 87-year-old priest and told her that vaccines caused autism" — leaving Haley, it would seem, guilty by association of lunacy. Several reporters I spoke with who have covered the thimerosal controversy described the *Times* story as a smear. One called it a "hit piece."

The *Times*'s O'Connor told me he had looked at the research linking thimerosal with autism, including the work of Hornig, Deth, and James, but ultimately found the epidemiological studies cited by the IOM more persuasive. "The larger scientific community has rejected a link between thimerosal and autism," he said. "You do have some scientists who are convinced that there's a link, but then you have the American Academy of Pediatrics, the World Health Organization — it's not a stretch to say that the scientific community has rejected this link."

The article prompted a massive reader response. One organization, known as A-Champ (Advocates for Children's Health Affected by Mercury Poisoning), organized an e-mail campaign directed at top editors at the *Times*, as well as the public editor, Byron Calame. O'Connor personally received dozens of e-mails and letters. "There were a couple that were threatening. There were some that were pretty harsh and others saying that I was part of the conspiracy. A lot of people responded saying there must be some link between the *Times* and the pharmaceutical industry."

Responding to the complaints of one group, Calame wrote: "I have carefully reviewed your e-mail and spent several hours with the editors and reporters who prepared the article . . . This has left me convinced that the article isn't intellectually dishonest. Nor are the omissions staggering. Nor is there a pervasive editorial bias. I find the article fair and accurate."

As it turned out, the story had angered members of the epidemiology department at Columbia's Mailman School of Public Health, including the department's chair, Dr. Ezra Susser. Since some of their work, including that of Dr. W. Ian Lipkin, a highly regarded neurologist, and Mady Hornig, explored the connection between environmental mercury exposure and autism, including exposure through thimerosal-carrying vaccines, they felt that they had been lumped into the category of scientific illiterates. Responding to the article in a June 28 letter to the *Times* (never published), signed by Susser, Lipkin, Hornig, and the epidemiologist Michaeline Bresnahan, the researchers wrote that "scientists pursuing research on mercury and autism are caricatured as immune to the 'correct' interpretation of existing studies. Researchers rejecting a link are depicted as the sole voices of reason . . . Whether mercury in any form (or any of several factors recently introduced to our environment) has anything to do with autism can and should be resolved with rigorous studies and respectful discourse, not moral indictments and denunciations."

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Journalists agree that the thimerosal story is one of the most explosive they've ever encountered. In addition to the vitriolic response Anahad O'Connor drew from readers, he also said he received a number of e-mails praising him and Harris from fellow reporters who had been interested in covering the thimerosal controversy, but had "gotten scared away from really tackling the subject . . . they were afraid of getting hate mail."

Some reporters who have portrayed this as an ongoing scientific controversy have been discouraged by colleagues and their superiors from pursuing the story. A reporter for a major media outlet, who did not want to be identified for fear of retribution, told me that covering the thimerosal controversy had been nearly "career-ending" and described butting heads with superiors who believed that the reporter's coverage — in treating the issue as a two-sided debate — legitimized a crackpot theory and risked influencing parents to stop vaccinating their children or to seek out experimental treatments for their autistic sons and daughters. The reporter has decided against pursuing stories on thimerosal, at least for the time being. "For some reason giving any sort of credence to the side that says there's a legitimate question here — I don't know how it becomes this untouchable story, I mean that's what we do, so I don't understand why this story is more touchy than any story I've ever done."

Pursuing this story is unattractive for other reasons, too. The issue is exceedingly complex and easily oversimplified. "It took me two and a half years and four hundred pages to tell this story, and I'm sure I made some mistakes," David Kirby told me, adding that the complexity convinced him to write a book.

The fact that the bulk of the public health establishment dismisses the thimerosal theory is also daunting, particularly for science reporters who rely on the same pool of medical experts and health officials regularly. "They depend on these people in this symbiotic relationship that they have," said Steve Wilson, an investigative reporter for the local ABC affiliate in Detroit, WXYZ, whose three-part series on thimerosal won an Emmy. "They've come to trust them and respect them and to believe when they tell them, 'Look, you're barking up the wrong tree here; these parents are just looking for somebody to blame.'"

Some of the most enterprising journalistic contributions to the thimerosal debate have come from the once prestigious, now flagging news wire United Press International, which is owned, along with the *Washington Times*, by the Reverend Sun Myung Moon's Unification Church. On my desk, UPI senior editor Dan Olmsted's "Age of Autism" series, which he began late last winter, occupies a file that at this writing is more than an inch thick and growing. He averages two columns a week on the topic. Aside from the *Washington Times*, though, not a single U.S. paper that Olmsted knows of has run any part of the series. It has, however, been widely disseminated on the Internet.

Olmsted, a former assistant national editor at *USA Today*, found his way into thimerosal through another medical side-effect story. It involved an antimalarial drug called Lariam, which was prescribed to Peace Corps volunteers, travelers to third-world countries, and more recently to U.S. troops stationed in Iraq and Afghanistan. As Olmsted and his UPI colleague Mark Benjamin (now a national correspondent at *Salon.com*) detailed in an investigation that spanned more than two years, starting in 2002, Lariam, which had been approved by the FDA and recommended by the CDC, also appeared strongly linked to psychosis, including homicidal and suicidal behavior. Partly because of their reporting, the effects of Lariam are now under study by the Pentagon. "If it hadn't been for Lariam, I don't think I would have ever thought twice about autism," Olm-

sted told me. "With Lariam, CDC officials said many times that there's absolutely no problem with side effects from this drug, it's extraordinarily safe. That's just not true."

Instead of wading directly into the thimerosal controversy, Olmsted approached it, as he puts it, "sideways." By this he means that after reading what had been written on autism and noticing a relative dearth of material about its origins, he set out to write a natural history of the disorder.

Eventually, Olmsted began thinking of ways to test the thimerosal theory. He wondered whether researchers had ever examined the prevalence of autism in an unvaccinated population, such as the Amish. That, it would seem, would be the most likely way to determine whether the vaccine link held water. If the number of autism cases among the unvaccinated mirrored the national average, then it would seem that thimerosal played no role. Olmsted found that though researchers had discussed such a study, none had ever been done. "That's an expensive study," he said, "but for a journalist all you have to do is get on the phone and start asking." After spending weeks searching for cases among the Amish of Lancaster County, Pennsylvania, he managed to find three children with autism, two of whom had been vaccinated, a rarity in that community. "The cases among the Amish that I've identified over the past several weeks appear to have at least one link — a link made of mercury," Olmsted wrote in a column on May 20, referring to the vaccinated children. "That's not something I expected to encounter." Looking at other large Amish populations in the Midwest, such as those in Middlefield, Ohio, and Goshen, Indiana, Olmsted found similarly low autism rates. He admits that his findings are not scientific. "I could be getting a completely wrong impression from what I'm finding, but it's interesting," Olmsted told me. Interesting enough to get the attention of members of Congress, including Representative Dave Weldon of Florida and Senator Joseph Lieberman of Connecticut; officials at the Department of Health and Human Services; and researchers, including Mady Hornig, the Columbia epidemiologist, who now hopes to devise a study looking at the Amish.

Privately, two reporters told me that, while intriguing, Olmsted's reporting on the Amish is misguided, since it may simply reflect genetic differences among an isolated gene pool (Hornig, however, said that a study on the Amish may still be valuable should the prevalence of autism in that community indeed be low, allowing researchers to study the genetics of people who are not susceptible to the disorder). Both reporters believed that Olmsted has made up his mind on the question and is reporting the facts that support his conclusions.

"I've just tried to find a way to get into this that adds something to the debate and is original," Olmsted said.

Among major newspapers, the *Los Angeles Times's* coverage of thimerosal stands out. It has taken the story seriously and devoted significant coverage to it, partly because through the summer and fall of 2004 a bill to ban thimerosal from all vaccines given to infants and pregnant women was making its way through the California legislature. Strongly opposed by the vaccine manufacturer Aventis Pasteur and the American Academy of Pediatrics, the measure was signed into law by Governor Arnold Schwarzenegger in late September of that year.

The reporter Myron Levin entered the fray in April 2004 with a piece that revealed that while the CDC would add flu shots to its list of suggested vaccines for children, it would not recommend that parents seek the available thimerosal-free version. He followed in August with a long

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Dennis F. Giza, Deputy Publisher, 10/01/05

feature on the attempts of parents who believed their children's autism was caused by mercury-containing shots to win compensation through a little known branch of federal claims court for the exorbitant costs of caring for their kids. (This "vaccine court," which pays out claims from a federal trust funded by revenue from a vaccine surcharge, was established during the mid-1980s as a means to protect drug companies from civil suits.) It was while covering this story, in which Levin captured both sides of the debate, as well as the devastating realities of raising a child with autism, that the CDC's Stephen Cochi referred to supporters of the thimerosal link as "junk scientists and charlatans."

Cochi's lack of diplomacy stunned Levin. "When government officials talk to reporters, they are usually beyond cautious and it can be really hard getting them to opine on anything," he told me. "To attack opponents in those terms shows the raw emotion that has infused this whole issue."

From his introduction to the thimerosal issue toward the end of 2003, Levin found it striking that a neurotoxin had ever been put into vaccines given to infants, even newborns. He wondered how health officials had failed for so long to consider the repercussions of injecting children with mercury-carrying vaccines.

As Levin reported last winter, the question of whether children were receiving too much mercury from their inoculations had been considered by Merck in the early 1990s. The front-page story — which reverberated through autism circles but drew little attention from the rest of the press — reported the contents of a leaked memo written by Dr. Maurice Hilleman, then the president of Merck's vaccine division. While public health officials had yet to recognize the total mercury load infants would receive from all of their suggested immunizations, Hilleman had done the math. "When viewed in this way, the mercury load appears rather large," he wrote in the 1991 memo, suggesting that thimerosal should probably be removed from vaccines administered to young children when possible. Levin kept the heat on Merck, reporting in March that the company had likely misled the public when it assured consumers in 1999 that its "infant vaccine line . . . is free of all preservatives." Merck had in fact continued supplying vaccines containing thimerosal until the fall of 2001.

Interestingly, this scoop had first been offered to *The New York Times* in February by a source who provided evidence to back up the claim. Gardiner Harris, then working on the story that turned out to be dismissive of the thimerosal debate that would run in June, blew off the tip, signing off his e-mailed response to the source, "I'll let Myron bite this apple."

Levin's reporting has drawn the ire of some in the pharmaceutical industry. Wyeth officials met with Levin and his editor in late July. "They have said there are problems with the tone, and that we seem to take too seriously an idea that they say is absurd and has been

disproved by the IOM," Levin told me. (Douglas Petkus, a Wyeth spokesman who attended the meeting along with two lawyers who represent the firm, declined to discuss the particulars of the conversation.)

In late August, the *Pittsburgh Post-Gazette* reported the death of a five-year-old boy whose heart seized while he underwent an unproven autism treatment known as "chelation." Used for purging the body of heavy metals, particularly in cases of acute lead poisoning, it can prove damaging to internal organs by leeching certain necessary elements, such as calcium, from the system. While chelation has been embraced by some supporters of the thimerosal theory, who report that their children's conditions have improved as mercury was drawn from their bodies, the medical establishment has cautioned against it as a means of treating autism. To journalists, for whom the perils of covering thimerosal have been purely theoretical, this incident could only underscore the potential dangers of lending any credibility to the autism link.

The day the boy's death was reported, Craig Westover, a columnist at the St. Paul *Pioneer Press*, who writes frequently about thimerosal, received acid comments from readers on his blog. One reader, writing under the name Credenza, wrote, "They finally did it Mr. Westover, they killed a little boy trying to get that satanic mercury out of his little body. You have some blood on your hands. Like it or not you do. There has been no autism epidemic and thimerosal doesn't cause autism . . . I hope the parents of this boy point the finger at you and scream murder."

"I really do try to walk a middle line on this," Westover told me that day, as he mulled his response to the reader. "You have to go out and investigate this and be able to come to some sort of conclusion. Not definitely that thimerosal does or does not cause autism, but you have to come to the question of whether this theory is plausible or not. Otherwise, I think you're doing a disservice to your reader." The evidence has led Westover to believe that a connection is possible. He realizes, moreover, that what he writes may influence others to believe the same.

To the reader who blamed him for the boy's death, Westover ultimately wrote, "That is the risk of a sin of commission, and one I considered long and hard before I wrote my first article on this topic . . . I will stand on what I believe and accept the risk and the consequences if I am wrong."

Whether the thimerosal theory is proved right or wrong, there will be consequences — for the public health apparatus and vaccine manufacturers, for parents and their children, even for journalists. But with science left to be done and scientists eager to do it, it seems too soon for the press to shut the door on the debate. ■

Daniel Schulman is an assistant editor at CJR.

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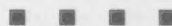
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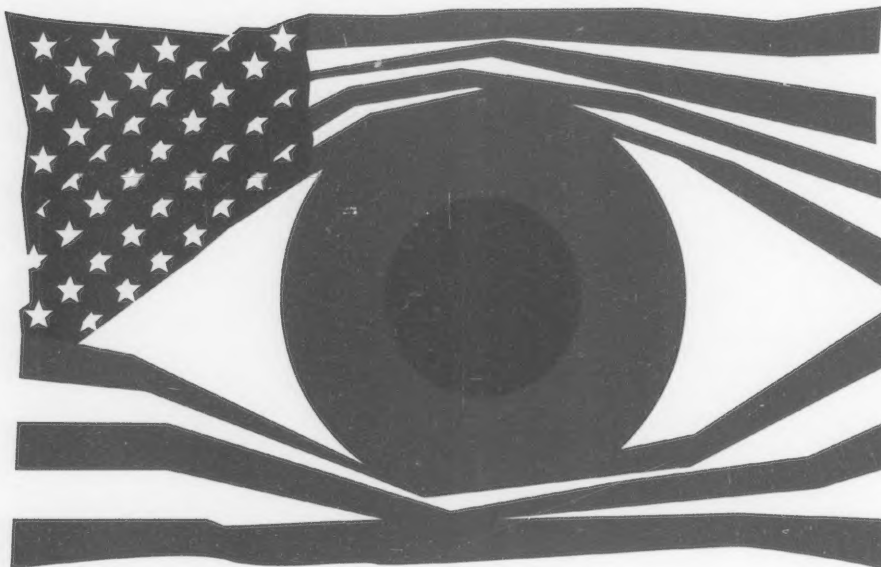
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MICHAEL MABRY

ESSAY

Working the Fringes

To establish a new agenda for the new century,
the press must first help America see through its myths

BY BRENT CUNNINGHAM

After the terrorist attacks of September 11, America and its press vowed to get serious. Remember the end of irony and all that? Well, the new seriousness turned out to be the chimera of editorials calling for a new seriousness. As Lawrence F. Kaplan writes in *The New Republic*, "According to a mountain of attitudinal and behavioral data collected in the past four years, the post-September 11 mood that former Homeland Security Secretary Tom Ridge dubbed 'the new normalcy' resembles nothing so much as the old

normalcy." In the weeks after Hurricane Katrina humbled the nation in ways that 9/11 could not, the press was again full of revolutionary talk about a new seriousness, especially concerning national awareness of race, poverty, and the environment. Joe Klein admonished readers about that in the September 12 issue of *Time*: "Having celebrated our individuality to a fault for half a century, we now should pay greater attention to the common weal."

Klein's point is a noble one, but it bears emphasizing that the unsettling facts about the

common weal that Katrina exposed will not disappear once the blueprint for a twenty-first century New Orleans has been drafted. It will be largely up to the press to make sure the nation keeps paying attention. Journalists drew praise for speaking truth to officialdom in the wake of Katrina, but as *PressThink*'s Jay Rosen suggests, "The challenge for American journalism is not to recover its reason for being, but to find a stronger and better one."

Extensive coverage of the rebuilding of New Orleans is certainly something readers and viewers deserve, but they also deserve a form of journalism that has always been difficult for the press in the United States to produce: stories grounded in solid reporting about what is possible, rather than simply what is probable; stories that shatter the official zeitgeist; stories that help set the agenda.

This forward-looking journalism shouldn't be exclusively about New Orleans, however, since the nation also faces growing problems elsewhere at home and abroad. In short, we need new ideas for the new century. Brian Urquhart, writing in August in *The New York Review of Books*, argues that in respect to America's international role, the traditional threat to peace — wars between great powers — has been "supplanted by a series of global threats to human society — nuclear proliferation, global warming, terrorism, poverty, global epidemics, and more. These challenges can only be addressed by collective action, led by determined and imaginative men and women." After World War II, America's leaders spearheaded the creation of crucial institutions (the UN) and ideas ("containment") that proved decisive during the cold war. Despite the parallels that the Bush administration draws between the cold war and its "war on terror," it has failed to undertake such work of imagination, a failing exacerbated by a political system that has grown too partisan, choreographed, and shortsighted to generate effective ideas.

The press has been a willing partner in this intellectual devolution. Cable news roils the nation over the latest missing white woman but remains silent about larger, more troubling matters, such as the fact that in fifteen years, two-thirds of the world's population could be living in countries with a serious shortage of fresh water. That dire forecast was made by the UN during the third annual World Water Forum in March 2003 in Japan, an event that drew scant coverage in the U.S. Like the depletion of the global oil supply — or bird flu — water shortage is a genuine problem, not a matter of opinion. Smart people within and outside government grapple with such problems in wonky articles; some of their ideas appear on the better op-ed pages but rarely on

We need journalism that is grounded in solid reporting about what is possible, rather than simply what is probable.

the front pages of newspapers and almost never on television.

It's time for the press to help broaden the scope of public discourse — not just by sounding an alarm, but by exploring possible solutions beyond those offered by government. By "the press" I mean the mass media — the newspapers and broadcast outlets that cater to a mass audience, and thus have the most influence over what people know about the world beyond their own experiences. While it's now commonplace to say that the media have become diffuse, most primary journalism is still done by the mainstream media, segments of which strive for intellectual honesty and believe deeply in reporting.

To make aggressive journalism about the various threats to human society a priority will require a radical reassessment of America's relation to the world as well as the

American press's definition of news. Last January in an op-ed in *The New York Times*, Jared Diamond, the author of *Collapse: How Societies Choose to Fail or Succeed*, explained that among the lessons he gleaned from studying the survival of societies is the need for "a willingness to re-examine long-held core values, when conditions change and those values no longer make sense." The press alone can't force this re-examination on the nation, but it could start the conversation.

Remember the Patriot missile, the darling of the first gulf war that protected Israel and Saudi Arabia from Saddam's evil Scuds? The initial declarations from the Pentagon and the White House, trumpeted enthusiastically by the press (which was, to be fair, severely limited in its ability to cover that war) were of the Patriot's virtually flawless performance. Less than a year later, and thanks largely to an MIT whistleblower named Theodore Postol, it was clear that the Patriot's record was actually rather mediocre.

There are many reasons why the press didn't bring more skepticism to its coverage of the Patriot. Or to the success of Enron and other corporate miracle workers. Or, more recently, to the Pentagon's initial explanation of how Pat Tillman, the former NFL star turned Special Forces soldier, was killed in Afghanistan. Or to the notion that all America needs to patch things up with the world is better p.r. Professional conventions such as objectivity discourage speculative coverage, argumentative coverage, and coverage that strays too far from the pack or the news peg. The regimented, relentless, and at times punitive message management executed by public- and private-sector institutions can also inhibit (and intimidate) the press.

But on a more fundamental level, these stories didn't arouse skepticism in the press because they clicked into the well-worn grooves of our national mythology, the narratives that ex-

ESSAY

IDEAS & REVIEWS

plain our country's purposes and shape what it means to be an American. These myths are commonly subsumed under the heading "American exceptionalism," which is useful shorthand for polemicists but, like "liberal" and "conservative," has become such a loaded term that it can't help us understand how myths limit our ability to imagine what is possible. In *Myths America Lives By*, Richard T. Hughes, a professor of religion at Pepperdine University, tries to explain those limits. Hughes traces the evolution of what he calls five "foundational myths" — the chosen nation, the Christian nation, nature's nation, the millennial nation, and the innocent nation — from their common roots in religious faith to their modern-day manifestation in, for example, the lack of debate in the United States about what happened on 9/11, and why. "Americans have by and large refused to face the question of 'why they hate us' head-on," Hughes told a gathering of Christian scholars in 2004. "Instead, following the lead of their president, they have taken refuge in the venerable myth of American innocence. To claim our enemies hate us because they hate liberty is simply a way of asserting American innocence without coming to grips with the awful truth that our enemies hate us for many clear and definable reasons." (While a handful of genuine attempts to wrestle with this question have appeared in the mass media — notably a *Newsweek* cover story in March 2003 by Fareed Zakaria entitled "The Arrogant Empire" — they have been rare.)

These foundational myths have been manipulated to launch wars, support dictators, and lend the aura of unassailability to man-made systems. Consider, for example, the myths of nature's nation and of the chosen nation. The former, Hughes explains, was a construct of the Enlightenment and, when it emerged in

the late 1700s, contributed to the belief that America's founders "simply exploited a design they found in nature itself, a design as old as creation, rooted in the mind of God." It lent a timeless, "self-evident" quality to the American experiment, and together with the myth of the chosen nation, which implies a covenant with God, was used by the robber barons of the late nineteenth century to define laissez-faire capitalism as the natural, or self-evident, system for organizing

'To claim our enemies hate us because they hate liberty is simply a way of asserting American innocence.'

man's economy. In the wake of the Civil War, the victorious North saw the economic prosperity it enjoyed (thanks to industrialization and a humming war-time economy) as a reward for its righteousness on the question of slavery. This "gospel of wealth," as Hughes calls it, was soon applied to individuals by way of Social Darwinism, and America's mythology thereby embraced the notion that the rich are divinely entitled to their wealth and the poor similarly to blame for their want.

Hollywood is the primary wholesaler of American myths, but the press does plenty to perpetuate them and very little to define their shades of gray. For example, although the worst abuses of laissez-faire capitalism have been alleviated, there are echoes of the gospel of wealth in the celebratory coverage routinely bestowed upon the rich, famous, and powerful, while the poor in America — when they make the news at all — are typically rendered as victims,

perpetrators, or the face of failed social policies.

To be sure, commercial pressures are partly to blame for that, but another reason the press is reluctant to lead a persistent discussion of the large, rather abstract problems we face as a nation and as part of an interdependent world is that the substance of that discussion would necessarily involve questions of national identity as much as the peculiarities of our profession. If we are to rethink some of our "core values," as Jared Diamond suggests, then as a country we must first be honest about what needs fixing.

No society, of course, can survive without myths. As the sociologist Robert N. Bellah pointed out to Hughes, "Humans are in some very deep way story-telling animals. So a world without myth would be an inhuman world." But to the extent that an uncritical embrace of myths limits our ability to imagine alternative ways of organizing the world, they are problematic. The difficulty Americans have imagining failure, for example, especially failure brought about by incompetence, arrogance, or anything short of a noble and good-faith effort, is rooted in our national myths. As the writer Lawrence Wright says in his memoir, *In the New World: Growing Up with America from the Sixties to the Eighties*, "America had a mission — we thought it was a divine mission — to spread freedom, and freedom meant democracy, and democracy meant capitalism, and all that meant the American way of life." Unwavering belief in this mission underlies the shock people felt about the systemic failure of government — from FEMA to the local governments along the Gulf Coast — to manage Katrina's aftermath. There is no reason to believe that American journalists, assuming they grew up here, would be less immune to this national blind spot than anyone else. After all, it was reporters' uncontainable shock and outrage at this failure that garnered them the most praise.

The imagination of the press is further constrained by the habit of ex-

ploring in any broad and consistent way only those ideas put forth by anointed newsmakers — most of whom have a powerful interest in framing the debate to suit their narrow agendas. These stories have a tendency to emphasize the political strategy underpinning an idea. Consider the neoconservative ideology that has guided America's foreign policy these last five years. To the extent that consumers of mass media were exposed to this ideology, it was largely through comparisons to the more cautious, multilateral foreign policy represented by Colin Powell and the State Department. If a reader also knew that neoconservative ideology recognizes the usefulness of the "noble lie," a notion conceived by Plato but articulated by the late University of Chicago philosopher Leo Strauss, the reader probably didn't learn about it from the press. During the past five years, only a handful of major American newspapers and broadcast outlets have highlighted the role of Straussian ideas in neoconservative politics. In light of the collapse of the Bush administration's *casus belli* in Iraq, a more robust exploration of the intellectual underpinnings of neoconservatism hardly seems irrelevant.

At the end of the cold war, heady talk in the United States about "the end of history" and the triumph of free-market liberalism was followed by a decade in which American society and its press became unhinged by the utopian promise of amazing technological advances and their attendant riches. September 11 reminded us, in horrific fashion, that the flow of history is largely impervious to the hubristic declarations of empires. But partly through a widespread inability to reflect on the country's identity in ways that acknowledge the inadequacies of national myth, that lesson largely escaped us. In his book, Hughes explains how national myths tend to become "absolutized" in times of war, and this was clearly on display in the wake of 9/11. Listen, for example, to Mort Zuckerman, ed-

itor in chief of *U.S. News & World Report*, defend American unilateralism post-9/11 to Lou Dobbs in 2003: "It would be nice to have a much broader array of support . . . but it always makes me remember Gary Cooper in *High Noon* when he had to defend the town, even when the rest of the town wasn't willing to support him. We are the sheriff in the world, whether we like it or not."

Now, once again we — the people and their press — have a moment of reckoning. The public is unsettled by the disaster unfolding in Iraq and the vulnerability of life on display along the Gulf Coast. The nation is, more or less, paying attention. How should we engage it?

The big ideas during the last twenty years about saving the news business have generally centered on delivering to the great swath of citizenry possessed of credit cards and investment income the experience of diversion. (A notable exception was civic journalism, which flared up and then dimmed in the 1990s.) The most recent big idea, unpacked in a *New York Times Magazine* profile of CBS chairman Leslie Moonves, is more of the same. At a time when the three major networks are thinking of ways to rehabilitate their news operations, Moonves wants to make the newsroom into an outlet of primetime vapidness. As Lynn Hirschberg, who profiled Moonves, explains, "News stories are often dark, and Moonves would like to find a way to make them light." America was built on optimism, Moonves says, and Americans like "traditional heroes" and "conflicts that can be solved." This is media reform with an eye on the bottom line, not the common weal. Like Hollywood, Moonves aims to bank on the salability of unquestioned myth.

Moonves's proposal also reeks of the disdain for journalism demonstrated by the Bush administration, which has brazenly vilified and bypassed "the filter" (that is, us) whenever possible. Moreover, it's a proposal that shrewdly avoids trying to compete in a media landscape that is fracturing along the dangerous parti-

san notion of "you have your facts, I have mine." It's time that the segment of the press that is still committed to intellectually honest journalism — a majority, I'm convinced — try something other than patronizing the citizens of this country. What have we to lose?

While it's difficult to change the core mission of any large organization, traces of a vital alternative — of public-service and idea-based journalism that helps set the agenda for what the nation thinks about — still course through our mass media. It has been evident in Katrina's wake in stories about the ways the country has failed those citizens who live in poverty, and the manner in which the nation's singular devotion to commerce and development weakened New Orleans's natural protections against flooding. It's evident, too, more broadly in mainstream journalism — in the Ideas section created by *The Boston Globe* in 2002, in the devastating documentary *Frontline* aired earlier this year about the viral spread of radical Islam in Europe.

But such work is a rivulet in the torrent of journalism that pours forth daily in this country. The vibrant coverage of ideas available in many small-circulation magazines is generally absent from the mass media, a state of affairs that makes the career of Tom Quinn, a reporter at the *Cleveland Plain Dealer*, all the more instructive.

Quinn began covering environmental and energy topics for the *Plain Dealer* in the mid-1970s, and since has worked a number of other beats at the paper. He is currently the night police reporter. But through it all he has, as Joan Didion put it, "worked the fringes" — taking classes at Cleveland State University, talking to professors, going to the potlucks and hayrides of groups (Green Energy Ohio, the Northeast Ohio Foodshed Network, etc.) that Quinn, sixty-two, describes as part of "the dissent community." For Quinn, working the fringes isn't about advocacy but ideas.

In the late 1990s, Quinn learned about the phenomenon of "peak oil"

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— how world production of crude oil will eventually peak and then trend irreversibly downward. “Peak oil” is a source of considerable disagreement between the geologists who endorse it and the economists who argue that as the price of oil rises, market forces will spur more efficient ways to extract the remaining crude. Neither side, however, disputes that crude will eventually be scarce. Quinn read the books and technical articles. He studied geology, international finance, and Middle East politics. In January 2005, he began to talk to his editors about “peak oil” and the need to publish work in the paper that attempted to, as he put it, “connect the dots” on the future of energy. His editors listened, and in May the paper began a series that is still under way.

It helped that the *Plain Dealer* could ground the story of energy development

**The press must help
cultivate an awareness
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in the region the paper covers. John D. Rockefeller launched the oil age when he started what became Standard Oil in Cleveland in 1863, and Charles Brush, a local inventor, harnessed the wind off Lake Erie with the world's first electricity-producing turbine in 1887. From there the series broadens to include the global context of energy, drawing on sources from Canada, Sweden, and elsewhere, as well as explorations of “peak oil,” coal, nuclear, and hydrogen power, and stories that move from systemic solutions to practical ways to make readers' lives more energy-efficient.

Even though the price of gas was in the news before Katrina, the *Plain Dealer's* series wasn't an obvious way for a budget-conscious paper to marshal its resources. Indeed, Doug Clifton, the paper's editor, says, “It doesn't sell many papers. In fact, it may not sell any.” But Clifton is quick to stress that “we felt we had an obligation to put these issues before the public.” Clifton has also consid-

ered ways to counter the “big-project effect” that can plague newspaper series — meaning that for a specified number of consecutive days the paper asks readers to digest long articles raising big questions, but then mostly drops the subject until the next big project. Series at the *Plain Dealer*, including one on regional development that has been under way for four years, are doled out intermittently in small portions rather than in one heaping helping, and are typically accompanied by something of an old-fashioned editorial crusade, reinforcing (and revisiting) lessons from the reporting.

Quinn says he is “perceived as kind of ‘out there’ in the city room.” And maybe he is. But the nation could use more “out there” journalism. The center has grown too complacent. The trick, of course, is to find creative ways of working the fringes and connecting the dots. That doesn't require that we in the press seek to destroy the myths of America, but rather that we help cultivate an awareness of the ways such myths fuel arrogance and limit American ingenuity. The *Plain Dealer* series doesn't do this overtly, but the idea underlies the entire project.

In September in *The New York Times Magazine*, Michael Ignatieff remarked that Katrina's biggest casualty was the destruction of the “contract of citizenship” between Americans and their government. “It is very much too late,” he writes, “for senior federal officials, from the president on down, to reknit these ties. It is just too late for the public-relations exercises that pass for leadership these days . . . The real work of healing will be done by citizens much lower down the chain of command.” That is true, too, of the real work of grappling with the many problems America and the world will have to confront in this century. Indeed, an aspect of the mythology of America is the venerated common sense of its citizens. If presented with a challenge and given all the facts, it is said, the American people will make the right decision. They will roll up their sleeves and get to work. It's time for the press to embrace this myth and help the country decide where to begin. ■

Brent Cunningham is CJR's managing editor.

SECOND READ

LIEBLING MEETS HIS MATCH

EVAN CORNOG ON *THE EARL OF LOUISIANA*,
A TRIBUTE TO THE CITY OF NEW ORLEANS

Southern political personalities, like sweet corn, travel badly. They lose flavor with every hundred yards away from the patch. By the time they reach New York, they are like Golden Bantam that has been trucked up from Texas — stale and unprofitable. The consumer forgets that the corn tastes different where it grows. That, I suppose, is why for twenty-five years I underrated Huey Pierce Long."

Thus begins A.J. Liebling's profile of Huey Long's brother, Earl, which ran in *The New Yorker* in 1960 and was published as a book the following year. The lead demonstrates authorial self-confidence at the highest level — here is a master, secure that whither he goes, his reader will follow. It also establishes an important point — things are more complicated with the Longs than they first appear to be (and that's pretty complicated).

At the book's start, Earl Long is the sitting governor of Louisiana and is planning to run for reelection, in spite of a provision of the state constitution barring a governor from succeeding himself. Earl's idea was simple: he would win the Democratic primary, at that time tantamount to election, and then resign. That way he would be succeeding not himself but his short-term successor. As Liebling observes, "Even Huey had not thought of that one." Earl's goal was a remarkable one not only in view of the constitutional obstacle but because a few months before Liebling



LILLIAN ROSS

started reporting, the governor had "gone off his rocker" and been committed by his wife and family to a mental hospital in Texas. Long had managed to engineer his release, return to Louisiana, and resume his office, and then "he had departed on a long tour of recuperation at out-of-state Western racetracks."

In the rich and diverse cultures of Louisiana, Liebling found a setting perfect for his talents, and in Earl Long he found a character profoundly sympathetic. Liebling likes his characters fat and sassy, and Earl's oversized personality and in-

We talk of books standing the test of time. SECOND READ is an exploration of that maxim — journalists reflecting on books that shaped their own work, or whose lessons remain relevant.

temperate appetites struck a chord in his biographer. Liebling affectionately records the governor's appearing with other politicians on the campaign trail, trading wisecracks with the crowd, cooling himself in the hot Louisiana evening with a handkerchief dipped in iced Coca-Cola, and "monopolizing attention like an old vaudeville star cast in a play with a gang of Method actors." Yet the political situation Liebling found in the state, which at first seemed the stuff of broad comedy, turned out to have the makings of a modern tragedy. The result, published as *The Earl of Louisiana*, is a masterwork of nonfiction writing.

Liebling generates fresh ideas, elegant turns of phrase, startling but apposite references, and sheer linguistic pleasure at a rate matched by no other journalist. An oilman is described as having "the kind of

head Norman peasants carve on wooden stoppers for Calvados bottles." He mentions how, following President Eisenhower's heart attack, statements by physicians had become as newsworthy "as the award of an honorary degree to the publisher of the paper." Nearly every page holds something one wishes to read aloud to a friend.

It is also, in the wake of Hurricane Katrina, a tremendously moving tribute to the city of New Orleans, which Liebling discovers to lie outside the normal cultural boundaries of the United States, existing "within the orbit of the Hellenistic world that never touched the North Atlantic." Here's his description of this process of cultural migration: "The Mediterraneans who settled the shores of the interrupted sea scurried across the gap between the Azores and Puerto Rico like a woman crossing a drafty hall in a sheer nightgown to get to a warm bed with a man in it."

Liebling is an omnipresent narrator, and reading *The Earl of Louisiana* is like having a superb meal with the most entertaining of dinner partners. Characters are delineated with vivid economy. A leader in the local Democratic organization is depicted "squatting on a kitchen chair, like a great, wise, sun-freckled toad." Earl's late brother Huey is introduced this way: "A chubby man, he had ginger hair and tight skin that was the color of a sunburn coming on. It was an uneasy color combination, like an orange tie on a pink shirt." In Earl Long's speeches, the governor's thoughts "chased one another on and off the stage like characters in a Shakespearean battle scene, full of alarms and sorties."

There are digressions aplenty in the book, but they just make for a more enjoyable experience, especially since Liebling's asides have a way of turning out to be more than pleasant detours. A host of seemingly tangential subjects — boxing, food, horseracing, resemblances between Louisiana politics and factional struggles in Lebanon — ap-

pear first as asides, then grow into themes, knitting together a sometimes unruly narrative, one in which the protagonist, the governor, does not appear in person until a third of the way into the book. The *opera buffa* story of Earl Long, which is where the story starts, begins to fade as the hero's progress is impeded (Long is prevented from pursuing his electoral scheme by the Democratic state committee), and then a more sinister story line takes over when the race for governor develops into a full-fledged white-supremacy campaign.

The opening sections of the book give little hint of the more serious issues that lie ahead. Liebling embraces both the grit and the shine of New Orleans, singing the praises of its food (in particular of "busters" — "fat soft-shell crabs shorn of their limbs, which are to the buster-fancier as trifling as a mustache on the plat du jour must seem to a cannibal").

The city of New Orleans, in fact, emerges as one of the leading characters, and its gin mills and strip clubs are rendered with affectionate care. The election, however, is for governor of the entire state, and north of the city the Catholic, Mediterranean flavor gives over to the more familiar Anglophone, Protestant South of northern Louisiana, where Liebling and a companion decide to head, having been in the Big Easy for so long, he explains, "we were beginning to pick up rumors that we ourselves had started."

It is a transition that Liebling conveys through a culinary observation. Stopping for a meal beyond the civilizing reach of New Orleans, they encounter a fry shack with "the shrimps stiff with inedible batter, the coffee desperate." Not yet a day out of New Orleans, Liebling is pining. "A PoBoy at Mumfry's in New Orleans is a portable banquet," he rhapsodizes. "In the South proper, it is a crippling blow to the intestine."

This culinary shift as one travels north is symptomatic of a larger

change, and Liebling describes the middle of Louisiana as the place "where the culture of one great thalassic littoral impinges on the other." It was the achievement of the Longs, both Huey and Earl, to recast the state's politics, winning the votes of poor voters of varied backgrounds and from all over the state, rather than choosing one side or the other of the thalassic divide. And, by the southern standards of the time, Earl Long seemed to Liebling so temperate on racial matters that he describes him as "the only effective Civil Rights man in the South." The style of civil rights the Longs espoused, however, was hardly a paradise for African Americans. One example given is Huey Long's approach to getting jobs in state hospitals for African American nurses — he pretended to be outraged to discover that white nurses were taking care of black patients, saying such work was an affront to white womanhood. "It was the most racist talk you ever heard," an informant tells Liebling, "but the result was he got the white nurses out and the colored nurses in."

At times, the treatment of the race issue in the book seems strained and anachronistic, like the use of "colored" in the previous sentence. After all, Earl Long could be described as "the only effective Civil Rights man in the South" only by someone whose frame of reference was limited to white politicians. And there are scenes that can put today's reader on edge. At about the midpoint of the book, Liebling describes a dinner at the governor's mansion with Earl and a group of cronies. During the dinner a black waitress named Laura is called upon to perform an imitation of her prizefighter husband, which she does at some length.

"Show us how your husband does when he gets tagged," the Governor ordered, and Laura fell forward, her arms hanging over the invisible ropes, her head outside the ring, her eyes bulged and senseless.

"The feudal faces were red with mirth. I applauded as hard as I

could. Laura stood up and curtsied." Liebling's complicity in this scene is tempered by his frank recognition, in the use of the word feudal, of its true character. His depiction pays tribute both to the skill of Laura's enactment of her minstrel-show part and the larger context in which it must be understood. Four decades later, we may not like watching it, but we can't deny that the scene is revealing.

This same sort of prestidigitation is achieved in the book's treatment of its larger subject, the political use of race and racial fear in Louisiana

The runoff election was a nasty, race-baiting affair, and Liebling describes it with unconcealed contempt. He recounts such "issues" as the accusation that Davis had once danced with Lena Horne at an event in California (as the Rainach forces, "the extreme faction of the bug-eyed," charged in the first primary), or the charge that Morrison had made an integrationist remark at the dedication of a swimming pool for blacks in 1948 (he hadn't). The climax of Liebling's exploration of the mind-set of racism is an interview with a New Orleans surgeon who

On election night, Liebling moves around New Orleans following the returns, and it is at a bar run by an old prizefighter that he learns that Davis has finally overcome Morrison's initial lead from the early-reporting New Orleans precincts and is moving toward victory based on his strength in the northern part of the state. Liebling's disgust grows deeper when Davis, once in office, moves to reward his racist supporters by backing a measure to throw illegitimate children off the welfare rolls in the state, a move that threatens those children with starvation. (British citizens sent donations to ease the suffering.) Liebling's account notes that the "net saving to the state of Louisiana" from this move would be \$1.3 million, "a handsome return for starving 22,000 children to death." His final sentence is a postscript noting that the racists have "taken over the streets of New Orleans," with the state government cheering them on.

Liebling has marched a long way from his opening, with its cheery likening of southern politicians to sweet corn. In Earl Long Liebling found a kindred spirit — stout, fond of food and horseracing, quotably frank, and unwilling to adapt to the pieties of Ike's America. But Liebling was too good a reporter to miss the tragedy that lurked behind the farce that first drew him to Louisiana, and he takes the reader down that road of discovery at a time when coverage of the racial disparities of the South, and of the nation, was still highly intermittent in the mainstream American press.

Today, with the Hellenistic city that Liebling loved deeply wounded, the book seems like a chunk of literary amber, preserving lost New Orleans for future generations, as Lawrence Durrell preserved Egyptian Alexandria and James Joyce preserved his Dublin. Hold it up to the light, and see what it reveals. ■

Evan Cornog, the associate dean for planning at Columbia's Graduate School of Journalism, is CJR's publisher.

A chunk of literary amber, preserving lost New Orleans for future generations

politics at the dawn of the 1960s. Once Earl was sidelined from the gubernatorial race, the principal contenders for the Democratic nomination were deLesseps S. "Chep" Morrison, the New Orleans mayor; Jimmie Davis, a singer and former governor of the state who had a big hit years earlier with "You Are My Sunshine, My Only Sunshine"; and Willie Rainach, the most outspoken segregationist in the state legislature. There were also two Longites running, and Earl was on the ballot for lieutenant governor. In the first round of the primary, Morrison came in first and Davis second, and these two faced each other in the runoff. But third place had gone to Rainach, and the support of his backers was seen as the key to victory. Morrison won the bulk of the black vote in the first round, and that left him open to charges from the racists that he was "soft" on segregation. So Davis (who had avoided the race issue in the first primary) quickly recast himself as a champion of segregation to line up support from Rainach. Eventually Earl Long himself announced he would vote for Davis (having apparently decided that having some influence with the likely winner was better than trying to make peace with a man he had offended by calling "Dellasoops").

confidently explains how the Fourteenth Amendment was the "bastard child" of Thaddeus Stevens and his "mulatto mistress." At the outset of the interview, he describes a couple of the surgeon's remarks as *amuse-gueules*, but as their conversation proceeds Liebling fades into the background. Knowing when to keep still, Liebling allows this "bleached in the bone" racist to expose his own vileness unmolested.

Today, of course, Liebling is best remembered as a press critic, and throughout the book he remains attentive to the misdeeds of the press, and in particular to those of the New Orleans *Times-Picayune*, which opposed the Longs. Liebling notes how newspaper photos of Earl "were usually taken without warning while he was scratching his pants, or when a reporter acting as the photographer's picador had provoked him into a scream of rage." He accuses *The Times-Picayune* of being willing to bring race relations in Louisiana down to the level of Mississippi "so long as *The Times-Picayune* could say it had elected a governor." (While many of the problems Liebling found in Louisiana persist, *The Times-Picayune* is a different newspaper, as is pointed out elsewhere in this issue.)

BOOK REVIEWS IDEAS & REVIEWS



GOTTFRIED TALKS ONLY OF HELL

From the killing fields of Iraq: four voices

WAR REPORTING FOR COWARDS

by Chris Ayres

Atlantic Monthly Press. 280 pp., \$24

OVER THERE: FROM THE BRONX TO BAGHDAD; A MEMOIR

by Alan Feuer

Counterpoint. 283 pp., \$24

MY WAR: KILLING TIME IN IRAQ

by Colby Buzzell

G.P. Putnam's Sons. 358 pp., \$25.95

NIGHT DRAWS NEAR: IRAQ'S PEOPLE IN THE SHADOW
OF AMERICA'S WAR

by Anthony Shadid

Henry Holt and Company. 424 pp., \$26

BY ANTHONY SWOFFORD

Immediately after any conflict, conflagration, or flood, journalists produce the first books that the public devours. Later, politicians and diplomats will hire ghostwriters to burnish their images with eight-hundred-page tomes, any ten pages of which might be used for insomnia. We're now far enough into the latest war that books written by combatants have begun to appear.

In this space I'll discuss four recent books that have come out of the current American war in Iraq. Three are by journalists, two of those are memoirs and one is reportage, and one, by a soldier, is what I'm calling a blogmoir, a combination blog and memoir.

Chris Ayres became a journalist "to meet celebrities, dine at Michelin-starred restaurants, and feel important at parties." At first, he got his wish, and then his wish was shattered by war and his own cow-

ardice, the cowardice that his father claims is genetic and that he claims was the reason he agreed to cover the war for the London *Times*: Ayres was too much of a coward to tell the editor he admired that Ayres was too much of a coward to go to war. *War Reporting for Cowards* is the result, and we are lucky for it. After finishing the book I thought Ayres rather brave, though he'd undoubtedly bristle upon reading that judgment. The book is an uproarious ride through Ayres's early days in journalism (this being the celebrity and Michelin phase), a blitzkrieg shopping trip in Beverly Hills when he must fill his Jeep with the gear on the list the Pentagon provided for Marine embeds, and nine days at war with an artillery unit the marines themselves called the Long Distance Death Dealers. The public affairs officer of the unit, Captain Hotspur, tells Ayres upon meeting him, "People think artillery is boring. But we kill more people than anyone else."

Ayres's guides through the war are a likable bunch; Captain Rick Rogers, known to his men as Buck; Lance Corporal "Fightin' Dan" Murphy — "Do they do much fightin' in London?" Murphy asks Ayres; and First Sergeant Frank Hustler, a lifer with a wife at home in Southern California.

"I didn't expect to die so quickly," Ayres tells us a few minutes into the First Marine Division's assault north from Kuwait. The rear passenger door on his Humvee had flung open, and his torso flew out the door as well, his legs held in place by his rucksack and other gear. No one else had noticed his misfortune, and while Ayres enjoyed a close and personal view of the spinning monster truck tires of the Humvee, Buck cursed his failing GPS, "Fightin' Dan" Murphy, the driver, tried to maneuver the vehicle out of a ditch, and Hustler, on duty at the roof-mounted machine gun, looked for bad guys. The situation would not improve for Ayres.

Ayres spends some time considering the embed process, and its end result. When the unit, lost and detached from the rest of the battalion, meets a thirsty, begging Bedouin who might also be an insurgent drawing them into an ambush, Ayres thinks, "*Just shoot him.*" He recognizes this is the incorrect impulse for a war reporter. "What I *should* have been thinking was 'Interview him; get out and interview him.'" But I was more interested in staying alive than staying objective. The trouble was, I felt like a Marine. I was about as neutral as Murphy's trigger finger."

Ayres is reduced to calling his girlfriend in L.A. by satellite phone and asking her to scan the *Times's* Web site to learn if the editors have used his stories. During a storm the Long Distance Death Dealers, in a particularly effective counteroffensive, fought off a tank ambush. The story was good and Ayres knew it. Time to call L.A.: "It *is* the front page," the girlfriend tells him. And Ayres tells us, "For a brief, exhilarating moment, I realized why people become war reporters. The thrill of writing an I-nearly-died-a-gruesome-death story is unbeatable."

Shortly after this, nine days into the war, because of a technical glitch with a certain brand of satellite phone, and an escape route that one of his bosses at the *Times* offers, Ayres bids the Death Dealers farewell and hitches a ride back to Kuwait, not an altogether safe option, what with convoys being attacked by Fedayeen, but one that has a Sheraton and an order of "the Wagyu-Kobe beef, the dozen gulf prawns with lobster tail, and three cappuccinos" at the end of it. Ayres battles with some shame over leaving the unit, and we experience this battle with him; they're decent young men fighting an indecent war, and like him, we have come to like Buck and Fight-in' Dan and Hustler.

Ayres's book is heartbreakingly funny and often tender and always insightful about the job of journalism



DUSAN PERICOC

and the dirtier job demanded of the Long Distance Death Dealers. And he confirms for us that soldiers love jokes about nuns and the French.

In *Over There: From the Bronx to Baghdad*, Alan Feuer, a reporter for *The New York Times*, uses a different geographical and tactical approach. Feuer doesn't embed, and he spends a lot of time in Jordan, trying to make it into Iraq and earn some inches in the paper of record. In *Over There* he makes the poor narrative decision of using a third person, *Timesian* distance technique, calling himself This Reporter, or T.R. T.R. once "confesses to a lie," and in the early pages of the book while describing his editor, Jonathan Landman, seems to insist that the "cold arithmetic of fact" is less important than the "difficult and human truth" of a story. Some readers might have difficulty with the idea that Feuer's arithmetic is possibly off, but the human truths he gathers here are essential to understanding both war and its reporters.

Feuer drinks impressive amounts of alcohol in this book, and a reader might be forgiven for believing that reporters enjoy whisky, profanity, and jokes about nuns and the French just as much as any soldier. In Jordan livers are mangled at the cantina Mama Juanita's, inside the Intercontinental, among other hotel bars. At press joints around the world reporters will for decades talk about epic bouts of drinking undertaken at the Intercontinental during that bleak desert winter of 2003.

Eventually Feuer and a *Times* colleague and about one hundred other reporters gallop further east, to Ruweished, but they're still in Jordan. "And yet there was no blood in Ruweished; the blood was in Iraq. Could it be that Jordan at peace was stranger than Iraq at war?" Yes is the answer. Of Ruweished, which resembled a Gold Rush town, he writes, "Entering the Arab Beach, T.R. was not surprised to find a snack bar called the Baghdad Cafe, nor was he shocked to find a laundry service

in 'The Clubhouse' with a billiards table, television set, and public hookah pipe." The entrepreneurial Jordanians weren't going to allow Blackwater Security to be the only ones making profit from this great American money machine, war.

Earlier, at the Hyatt in Amman, T.R. had run into some gruff, silent armed Americans. He attempted to ply them with ale and jokes: "As gin and wickedness are social greases to the upper class, so beer and insults have a similar effect among the middle." The men remained tight-lipped. T.R. got wasted while his *Times* colleague directly asked the fellows straight up who they were, and they told him. It makes for great comedy watching a reporter have his turf stolen from underneath him as a Lothario might steal his girl. Before departing the men tell T.R. that while making the trek to Baghdad, "The biggest problem is going to be your onesies, twosies, and threesies." They were warning T.R. about individuals and

small groups of fighters killing and taking hostages. The ex-military men were from Blackwater Security, a firm T.R. and most of the world had never heard of, but one that in the near future would play pivotal roles in occupation-era Iraq, just like the onesies, twosies, and threesies.

After the Americans had taken Baghdad, the battalion of fuming reporters traveled from the border to the capital city. T.R. was allowed into one of Saddam's former palaces, with a U.S. Army escort. "It was now inconceivable to storm the palace without a rear brigade of hacks — it felt, in fact, as if the palace had been taken *in order* to display it to the hacks." Later in the same paragraph Feuer states, "The military, by its nature, dominated what it touched; it was not a generous establishment."

A majority of the reporting from Iraq during the invasion was touched by the military, and some of it still is. One benefit of a reporter's postwar memoir is that the

military doesn't vet the text or grant access. Perhaps in the memoir rather than from the original reporting we will discover the actual war that was fought. Feuer's contribution to the record is funny, incisive, poignant, and smart.

What to do with the military blogger who gets the most hits? Give him a book contract. That seems to be what happened with Colby Buzzell. He offers us *My War: Killing Time in Iraq*. It might have sounded like a good idea. The problems occur when the writer tries to move the language of his blog into a somewhat structured narrative.

We need some back story, so: the typical tale of the typical Northern California stoner kid who in his mid-twenties has lived in a few cities, kept no job for longer than three months, and intermittently lived with mom and dad; begin war; drunken night with high school friend now in military; vis-

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it Army recruiter; Army recruiter offers guidance on how to pass urinalysis test; pass test; basic training; disparaging remarks about authority; marry old girlfriend in order to make extra cash; repeat these words often: like, cool, awesome, kinda; invoke punk-rock ethos by naming bands that had broken up before writer's tenth birthday.

But *My War* is less Black Flag and way more like Green Day. Not shaved heads and raw guitar anger and Jack Daniel's, but coifed dyed hair and post-punk arena shows and Trappist ale. The book is at its most interesting when Buzzell's blog entries are presented to us in their original form, in bold font. Then we know we're reading a blog: casual, even street, with no structural expectations other than a beginning and as much steam as the blogger can muster until the colonel powers-down the recreation center.

When Buzzell blogs after a fierce firefight in Mosul, it is thrilling and raw reading, warfare nearly instantaneously transfigured from memory to text. The firefight blog entries are truly remarkable documents: "Bullets were ping-pong off our armor, and you could hear multiple RPGs being fired, soaring through the air every which way and impacting all around us. All sorts of crazy insane Hollywood explosions were going off . . . I was like, this is it, I'm going to die." These scenes bring combat and valor and extreme fear and violence to life, especially when Buzzell offers the military's dry version of the same events. And here he is most insightful and tentatively has his finger on a hugely damaging trigger, but he fails to totally unload his magazine the way he would on a street full of insurgents: the military is creating a fiction surrounding the readiness and participation of Iraqi forces. In the military's version the Iraqi forces lead all the fighting, but in the far more believable version offered by

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The WKC is funded by the John S. and James L. Knight Foundation and is a joint project of the USC ANNENBERG SCHOOL FOR COMMUNICATION and the University of California, Berkeley Graduate School of Journalism.

Buzzell, the Iraqi forces are working sweep-up when they happen to be around. The dismal level of Iraqi force readiness is one of the biggest failures of the Coalition Provisional Authority and the continuing American military occupation of Iraq. But Buzzell doesn't elucidate the problem using his unique perspective.

This highlights another problem with the blog and the blogmoir. The publishers and the blogger want to move his entries into a deliverable and sellable hardcopy package, but the blog was never intended for sale. Thus, the blogger is rushed into forcing blog entries into a narrative form they do not fit: the military blogger especially, who wants to get out of the military and make some real money from his writing, the easiest and flimsiest way on earth to earn money after carrying a rifle for a living. But in the rush to publish, the blogger is not allowed the years that are necessary to practice both craft

and thought, so we are offered event and emotion only. Event and emotion can carry a blog, but they alone cannot carry a book. The abject realism of the blog weighs heavily on the printed pages of the blogmoir.

But the blogmoir allows the blogger and his publisher to assure the reader of his book that he has credibility from the blogosphere, because he can reprint e-mails from admiring fans. Buzzell even throws in support quotes from his company commander: "Wow, you're a good writer, that stuff you wrote is pretty fucking good."

Buzzell's blog is thick with galls humor and the dark, violent work of the mechanized infantryman. Go to this book for the blog entries alone and you won't be disappointed. The problem with this blogmoir, and I suspect we can expect the same from others that will undoubtedly appear, is that the only salvageable material is from the

original blog. I suggest a blogvella, of not more than one hundred and ten pages.

It is unfortunate that Anthony Shadid could not have seen into the future and published his tour de force *Night Draws Near* before the American invasion of Iraq in March 2003. If such a mind-bending act were possible he might have altered our country's path toward such an inadvisable war, or at least altered the troubling aftermath. Shadid, an American of Lebanese descent, has spent most of his career reporting from the Middle East. He knew the language and the culture of Iraq and had reported from Baghdad before his arrival there on March 11, 2003. He drizzles his book with a rich cultural and religious history of the country and allows the reader to enter the lives of everyday Iraqis. In his prologue he states, "The Americans brought a revolution

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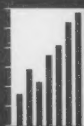
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without ambition and an upheaval without design." And then he has Iraqis tell their stories for four hundred pages, allowing us to discover that he is right.

I found it impossible to read Shadid's book and not keep asking myself the billion-dollar question: How might we have freed the Iraqis of the openly despotic and demonic Saddam Hussein and not forced the country into anarchy?

After the American Army has entered Baghdad, Shadid is out on the streets, not embedded but traveling with his former Iraqi minder, a man he's always trusted and who gave him a bit of free rein during the countdown to the war. Some of the first men he speaks to are doctors relieved by the fall of Saddam and the presence of the Americans but deeply unsure about the future of their country. Shadid approaches them after they've unsuccessfully asked a group of soldiers not to fly an American flag from their tank. "It's not the right time to raise flags," one of the doctors tells Shadid. "Iraqis should free themselves, not the foreigners," another says. "We wish we could do it ourselves," adds another.

One of the most telling shifts over Shadid's fifteen months in Iraq is witnessed in the lives and opinions of Karima Salman and her eight children. "Over the year, iconography had proliferated in Karima's apartment. More posters went up of Shiite saints, consoling portraits." A troubled son whose faith had always been doubtful set off on a pilgrimage with friends.

American planners had not foreseen the resurgence and relevance of Shiite religious and political power. The biggest surprise was the thirty-year-old cleric Muqtada Sadr. Saddam had killed his popular cleric father, Mohammed Mohammed Sadiq al-Sadr, and two of his brothers. Muqtada Sadr took advantage of the postinvasion power vacuum; he started grass-roots aid organizations and used the power of Friday prayer to bring followers to his militia, the Mahdi army. Shadid insists that before they were openly armed and at conflict with American forces, the "intent of the Mahdi army was becoming clear." "To those who say we cannot expel the occupation forces from Najaf, I say we can," Sadr told followers. Shadid calls Sadr's "a meteoric ascent

that would in time write the epitaph for the American occupation."

Shadid's analysis of the American Green Zone staff, their abilities and the likelihood of their success is damning: "Its staff had been chosen more for their partisan loyalty than for diplomatic skills suited to the management of an occupation of one of the Middle East's most strategically important countries." The Green Zone was a slice of America dropped into the middle of Baghdad, and most who worked there reconstructing the country rarely, if ever, left.

This book should be read for its keen analysis of the events in postinvasion Iraq as much as for its thoughtful and precise storytelling and portraiture of Iraqis trying to make sense of their radically changed country. Even after reading this rather bleak account of the American record, and the accompanying Iraqi failures, one is still left with the hope that some day the City of Peace will return to its old form. From Shadid's account it's obvious that normalcy is what most Iraqis want, and now it remains to be seen whether America will assist properly with that vision. Shadid's book should be a guidepost for how some of that might be achieved.

The four books here are a part of the early written history of the Iraq war, occupation, and aftermath. War is an ugly and evil business, and so too is writing about it. Writing about war, just like waging it, has its costs. Early in his embed training Ayres received such a lesson from a veteran Dutch war reporter, Gottfried, who'd "witnessed some of the most depraved acts of humankind in all the world's major terror-tour destinations . . ." Ayres asked the war-coverage veteran what war was like, and the Dutchman told him he'd lost his wife and kids. "They died?" the incredulous Ayres asked the damaged reporter. "She left me," the Dutchman replied. "Why wait for Gottfried?" he said, "Gottfried talks only of hell." And we are fortunate to have the Gottfrieds among us. ■

Anthony Swofford is the author of Jarhead. He lives in New York City and is completing a novel.

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An editor's story of his slain reporter reveals much about modern Mexico

TRAIL OF FEATHERS: SEARCHING FOR PHILIP TRUE

by Robert Rivard

Public Affairs. 417 pp., \$27.50



SUSAN PETRIC

BY SAM QUINONES

Several years ago near Mexico City, a woman shot and killed a male companion who was about to rape her. Though a witness confirmed her testimony, the woman was arrested for murder. Women's groups rallied to her cause. I covered the story, and during the protests one leader explained to me why the groups had

mobilized. "In Mexico," she said, "you aren't given justice. You have to take it."

In December 1998, another case would prove the truth of that statement. Philip True, the Mexico City correspondent for the *San Antonio Express-News*, walked into the Sierra Madre mountain range in search of a story about Huichol Indians and never came back. He was murdered — apparently beaten, then

strangled with his own bandanna — by two Huichols, for reasons that still aren't all clear. True was the first accredited American journalist to be murdered in modern Mexico. He was fifty years old, married, and about to be a father for the first time. His trip to Huichol territory was to be a farewell to the bohemian life he'd led, soon to be replaced by something more stable. His son, Philip Theodore True — Teo — was born three months after his father's murder.

In *Trail of Feathers*, True's editor, Robert Rivard, chronicles his reporter's life and murder as well as Rivard's own arduous campaign to take justice in Mexico. The title of the book refers to the down feathers that spilled from True's sleeping bag as his killers used it to carry his corpse down into a canyon to bury him. The feather trail led Rivard and a police investigator to True's body within days of his murder, and to his murderers, Juan Chivarra and his brother-in-law, Miguel Hernandez. The trail also led Rivard into the swamp of Mexico's criminal justice system. Over the next few years, crucial evidence about True's murder is lost. The case has four prosecutors, three attorneys general, and two autopsies. A second autopsy is done without the presence of the doctor who performed the first. There are two verdicts in six years, one issued without the prosecution's knowledge. In fact, though finally found guilty, Chivarra and Hernandez, at this writing, are not behind bars.

Rivard's book reverberates with the question of what is true, and how a society unaccustomed to truth from its justice system can be brought to recognize that truth. The case is drenched in Mexican

attitudes toward the United States, American and middle-class Mexican guilt, and Indian historical grievances and underdevelopment. Indeed, the history of U.S.-Mexico relations is so pervasive that, after a while, Philip True appears to have symbolized, to some Mexicans, American arrogance.

That's very sad, for Philip True loved Mexico a lot more than many of the Mexican politicians and news-media stars who unctuously profess their *amor patria*. He was the kind of American correspondent

for being an outsider, perhaps for having seen their marijuana crop, and maybe for conjuring in their minds historic wrongs done to the Huichols.

I recently returned to California after working as a freelance journalist in Mexico for ten years. During my time in Mexico, I found that many Americans romanticized the country in a way that, the better I got to know the place, seemed terribly superficial. The grinding poverty and unfairness of the country are unseen, overlooked, or misdiagnosed as quaint or picturesque. I knew True as a colleague and, I

observations. The trail, he noted in his journal, "is a companion. It tells you that you are getting somewhere, even if it's not where you were going, or wanted to, you are not alone . . . Trail is security . . . Lose it, you have lost your way, your purpose, your goal. Oh black moment. Find it again, the sun rises on a valley of waving flowers, the world is all right again — such is the drama of trail walking."

The True case is about how two American journalists — True and Rivard — grapple with Mexico. But it is also about Mexican attitudes toward the United States. Rivard is at his best on this topic. The case, for example, seemed to get bogged down in reports of Mexican immigrants' being mistreated in the United States. Members of the Mexican press corps seemed willing to view True's murder as some kind of revenge for what is seen in Mexico as widespread abuse of those immigrants.

Mexican reporting on the United States is of absurdly poor quality. That is due to years of Institutional Revolutionary Party (PRI) government propaganda, which held that Mexicans lost their soul when they went north. It was all part of the fiction that Mexico needed the PRI as protection from Yankee predation. The poor quality of Mexican reporting about the U.S. derives also from the fact that most news reporters are from the middle class — Mexico's most cloistered class.

The rich travel at their whim; the poor go to the United States out of necessity. Only the middle class has neither reason nor funds to go north. All this creates a constant beat out of the Mexican media regarding how their paisanos are treated in El Norte. The truth, of course, is that most poor Mexicans are treated better, and with far more justice, in the United States than they are in Mexico. But these sub-

Trail of Feathers is tremendous for the way it digs into enormous issues of history, poverty, and bilateral misperceptions.

who often shows up in Mexico. A journalistic free spirit, he was fleeing the newsroom's claustrophobia, eager for a place where he could follow his reporter's nose without an editor's interference. Mexico beautifully provides all of that for the journalist who will venture into it.

True had survived a harrowing childhood and spent his early adult years in working-class jobs before entering journalism at forty-one. He didn't much appreciate the press conference and the pack. "The good stories, True believed, were always found 'out there somewhere,' in places that required perseverance to reach," Rivard writes.

Mexico is a wonderful country to cover because it will always defy your best preconceived notions. But in True's case, those notions may have been fatal. True went to the Huichol Sierra expecting "the constant sound of children laughing and playing" and Indians using "a small handgrinder for cornmeal," according to the query he sent his editors. Instead, he found two inbred losers — outcasts in their own community — who most likely killed him, from my reading,

have to say, he didn't seem to suffer from such myopia. He'd lived on the U.S.-Mexico border and in Mexico City — two places that will cure any American romantic. Nevertheless, from the case Rivard makes, when it came to the Sierra Madre he was to hike, and its Huichol Indian inhabitants, True may have been fooling himself. He may have overestimated his own roughing-it abilities, and perhaps was too enamored with his image as a guy who charted his own course.

He hiked for miles through Mexico City to prepare for his trip. But he went into Huichol territory without a guide or permission from the correct Huichol authorities — both of which are deemed necessary by everyone who knows Huichol culture. True's journal entries show that his trip was going poorly. He was behind schedule and had received no welcome at all. "True was five days out of Mexico City," Rivard writes, "without a single sustained conversation with a Huichol."

Still, it's a shame True never wrote his story, for it might well have been full of great fact-inspired

tleties the Mexican press corps conveniently ignores — and ignored certainly in the True case.

Rivard portrays a similar kind of ignorance in his profiles of two dogooders — the disparaging term is apt here — Miguel Gatins and Patricia Morales, who believe Chivarrá and Hernández are innocent because the Mexican system is corrupt and the two men are Indians and thus symbolic victims of history. Gatins is an expatriate American, a recovering alcoholic with an inheritance, who funds the Huichols' defense. Morales is a flighty human-rights activist who argues their case before the judge. Gatins and Morales put on a surreal public tragicomedy that lasts several years, in which they take up Chivarrá's and Hernández's cause with little examination of the facts. Finally, Morales can live with herself no longer and admits that the two men had, in fact, confessed to her years before that they'd killed True. Learning this, Gatins stops funding the defense, after having spent tens of thousands of dollars of his money. By then, though, the two Huichols — who were out of jail while their first verdict was being reconsidered — are nowhere to be found.

The irony, of course, is that the two men Gatins and Morales held up as sympathetic victims of history and Mexican corruption actually turn out to be guilty. That's Mexico for you. The absurdity, however, continues as Morales rationalizes that the Huichols killed True for supposedly stealing and selling semi-precious stones from Huichol territory. True could have made more money, as Rivard notes, lying about his expense account than he'd have made selling Huichol stones.

But Morales's rationalization is fascinating for what it says about how history is alive in the present. Their government has told Mexicans for years that gringos will steal what's theirs. Some of that is true, some of it isn't. Mexican Indians live doubly aware of what outsiders

have taken from them. The Huichols, in fact, have had their minerals and natural resources stolen — semi-precious stones among them. In so much of human affairs, all that matters is what people believe is the truth. But to me, the stolen-stones motive sounds like hogwash that Morales created to rationalize her disgraceful behavior.

Trail of Feathers isn't the best-written book I've ever read. Rivard's prose is wordy, his quotes sometimes clunky. As his adjectives and adverbs mount, they give his writing an effusive feel I could do without; there are too many offers "eagerly accepted" and too many proposals "readily agreed" to. His observations on everything from his golf game to Mexican immigration occasionally stand like speed bumps in his narrative's path. There's a solid 330-page book hiding in the 374 pages of Rivard's text.

Still, *Trail of Feathers* is tremendous for the way it digs into enormous issues of history, poverty, and bilateral misperceptions. Moreover, when it comes to editorial perseverance, Rivard is the gold standard, as is, I suppose, the Hearst Corporation (which owns the *Express-News*) for funding it all — many of Rivard's repeated visits to Mexico, all the frequent trips the paper's reporters took to the Sierra Madre and Guadalajara while covering the case, the work of lawyers and publishers who have pressured the Mexican government since 1998. Long after True's case faded from the news, Rivard remained relentless. The case consumed his life when he could have dismissed the whole thing as further proof of Mexican corruption and inscrutability. It's enough to make reporters wonder whether their own editors, in these days of ceaseless budget cuts, could equal Rivard's effort in pursuing justice for True and his widow.

The death of Philip True jolted the foreign press corps in Mexico City. We were forced to examine

how we worked in the country. We were reminded of Mexico's basic unfairness. We knew that many Mexican journalists were killed without the kind of attention True's murder received. It's nauseating how many of their cases remain unsolved.

True was among the foreign correspondents who would meet each Friday for drinks at a bar called Nuevo Leon in the Colonia Condesa of Mexico City. It was a vibrant group, one, I felt, that was becoming aware that a historic story of Mexico's change was slowly unfolding before it. Bar Nuevo Leon was a place to be comforted in numbers, to talk about Mexico and the stories one was writing, and for new correspondents to hear what older ones knew. It was one of several reasons, I think, why U.S. newspaper coverage of Mexico's slow trudge out of the PRI's one-party rule during those years was first rate.

But the group never consistently recovered its numbers after True died. His death was not the only reason. Other journalists were leaving then. Those who arrived weren't as interested in socializing. The bar group gained energy and numbers around the time Vicente Fox won the presidency in 2000, but September 11 finished it off as the world's focus turned elsewhere. The group still meets and is helpful for new reporters, but it doesn't have the vitality it had before True's murder.

Philip True was killed seven years ago this December. Like the truth in this case, the two Huichols have vanished. I hope that, like that truth, they'll be found again someday. In the meantime, *Trail of Feathers* stands as testimony that despite all that has changed in Mexico, it remains a country where justice isn't given, it must be taken. ■

Sam Quinones (www.samquinones.com) is a staff writer at the Los Angeles Times and the author of *True Tales From Another Mexico: The Lynch Mob, the Popsicle Kings, Chali-no and the Bronx*.

BOOK REPORTS

IDEAS & REVIEWS

BY JAMES BOYLAN

THE WORLD ON SUNDAY: GRAPHIC ART IN JOSEPH PULITZER'S NEWSPAPER (1898-1911)

by Nicholson Baker and
Margaret Brentano
Bulfinch Press. 132 pp. \$50

This ample volume vindicates the struggle by Nicholson Baker and his wife, Margaret Brentano, to save original volumes of American newspapers from the heyday of the popular press from the dumpsters, the snippers, and the microfilmmers — an arduous effort Baker recounted in his tract, *Double Fold: Libraries and the Assault on Paper* (2001). Here, reproduced at one-third size, are garish, imaginative, and colorful pages from Joseph Pulitzer's Sunday New York *World*, the most popular American newspaper of its era. An astonishing array it is, most strikingly exemplified in the drawing by J. Campbell Cory from the *World* of March 19, 1899, of the arrival in New York of a rich westerner, his towering wife, and his beautiful daughter — a scene that uncannily anticipates the Spraggs of Edith Wharton's *Custom of the Country*, published more than a decade later. There are comics, drawings, games, and imaginative lost work by such artists as the Ashcan school's George Luks. The newspapers, initially stored in a warehouse, have been given a permanent home at Duke University.

NPR: THE TRIALS AND TRIUMPHS
OF NATIONAL PUBLIC RADIO
by Michael P. McCauley
Columbia University Press. 185 pp. \$31

National Public Radio emerged from the old educational radio system that went on the air on April



20, 1971, with coverage of hearings of the Senate Foreign Relations Committee on the Vietnam War. Thirteen days later it introduced its afternoon news magazine, *All Things Considered*, with coverage of student and veteran war protests in Washington. NPR has so far outlived budgetary, political, and competitive threats, and has found itself an audience estimated at more than 20 million who like their news and culture serious, extended, and intelligible. Michael P. McCauley, a former radio journalist now teaching at the University of Maine, presents a thorough if deferential chronicle of the personalities and tribulations of NPR.

THE GREENWOOD LIBRARY OF
AMERICAN WAR REPORTING
edited by David A. Copeland
Greenwood Press
Eight vols. 3,892 pp. \$995

This must be one of the most extensive anthologies of any kind of journalism ever. The first volume starts with an anonymous letter to the *South-Carolina Gazette* in 1754 about Washington's contacts with the unfriendly French in the

Ohio Valley. The eighth volume, the last, ends with an unsigned report in the *Kuwait Times* in 2004 about the Abu Ghraib prison scandal. All told, this foot-high stack contains a total of possibly 2,500 reports of war. What they have in common is that they appeared in news media, but not all are news stories; some are printed letters, some are official reports, some are editorials. The whole is thoroughly annotated and indexed by David A. Copeland of Elon University in North Carolina and fourteen colleagues. It is a handsome enough piece of work, but one wonders at its traditional heavyweight format in a world that can now make such huge collections available on CDs or even on the Internet.

TELL ME NO LIES: INVESTIGATIVE JOURNALISM THAT CHANGED THE WORLD

edited by John Pilger
Thunder's Mouth Press
626 pp. \$18.95 paper

John Pilger, an outspoken Australian-born correspondent and documentarian, quotes the American journalist T.D. Allman as saying, "Genuinely objective journalism . . . not only gets the facts right, it gets the meaning of events right." In this ample volume he assembles the work of those he finds have met this standard, starting with Martha Gellhorn on the liberation of Dachau and Pilger's fellow Australian Wilfred Burchett on post-Hiroshima radiation sickness. Pilger himself is represented by "Year Zero," on the devastation of Cambodia. Although Americans are well enough represented here, the collection is a reminder that investigative journalism is a trade practiced, and practiced well, internationally.

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Non-Deadline Reporting (Independent)
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S C E N E



That Soothing Blue Glow

BY DAVID LAVENTHOL

We were fifteen minutes into our flight from Burbank to New York when the captain first indicated we had a problem. The front landing-gear light wouldn't go off, which meant most likely that the gear was stuck in the down position. He would let us know when he found out what the problem was.

The calm, knowledgeable tone of the captain's report was reassuring, and I went back to checking out the thirty-six channels of live TV that jetBlue provides on a small screen at each seat. But the reports soon became much less reassuring. We were going to do a flyover at nearby Long Beach Airport to determine whether the landing gear was indeed down. It was, and more serious trouble, it was twisted at a ninety-degree angle. That could make a landing highly dangerous, and was making the passengers, at least this one, extremely anxious.

The plane began to circle the region to burn off fuel. I went back to watching TV, which seemed to be showing some version of *Airport*.

Wait a minute. It wasn't a movie, it was our plane, and we were in it. You could even see the stuck landing gear. I looked around — most of the other passengers were also watching themselves. This was reality TV carried to its ultimate. And we were the participants.

Yet somehow the fact that I was watching television calmed me down. This was real life, but it was also television. I've seen catastrophe before but always through the televised image. The catastrophes were real — like the one in New Orleans just recently — but the image, the

experience, was indistinguishable from the same event in a made-for-TV movie or crime series. Television would go on to the next show or news broadcast and we would go on with our lives. Not really, not this time. Even as I was wondering whether the pilot would let us watch as our fate approached, he cut off the television.

Now there was no time for reflection. We concentrated on our landing instructions, identifying which side exit we should use and readying to jump on an evacuation slide if need be. People and luggage were shifted to the back so the rear wheels would hit the ground first.

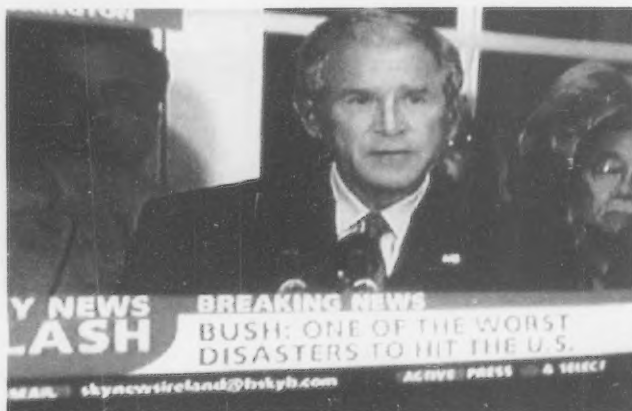
Then the captain said the familiar, "Flight attendants prepare the cabin for landing." There was nervous laughter. One minute from landing we went into the "brace" position, heads down between our legs. The flight attendants began repeating "brace," "brace," "brace" in what seemed like a final, ritualistic mantra. There was a long pause and then the sound of the rear wheels dropping. Then, as if it were any other landing, the front wheel touched gently down, the plane stopped, and the wild cheering began.

A few minutes later, now instant celebrities, we were greeted by the mayor, hundreds of McDonald's cheeseburgers, and dozens of TV and print reporters — this was reality. The ratings for our show, we were told, had been stellar.

Even so, I don't think I'll be back for next week's episode. **CJR**

David Lavenhol is a former publisher and editorial director of CJR.

The Lower case



Sky News (Ireland)

Kansas Board Backs Limits On Evolution

The New York Times 8/10/05

Step Forward For Implants With Silicone

The New York Times 7/29/05

Head lice must be treated carefully to avoid damage

The Davis (Calif.) Enterprise 8/28/05

Pigeon reports prompt action

The (Willoughby, Ohio) News-Herald 9/13/05

Police told by mayor to stop looting

The (Harrisburg, Pa.) Patriot News 9/1/05

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The Indianapolis Star 9/16/05

Vaccination available for whopping cough

Vernal (Utah) Express 9/7/05

Hollinger: I'm not undergod in race for 3rd District

Maryland Gazette 7/16/05

WASHINGTON (AP) - President Bush has invited key lawmakers to a White House meeting next week to begin consultations on a replacement for retiring Supreme Court Justice Sandra Day O'Connor, officials said Friday.

Associated Press 9/16/05

david strathairn
patricia clarkson

george clooney
jeff daniels

robert downey jr.
frank langella

we will not walk in fear of one another

good night, and good luck.

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Toyota vehicles and components are built using many U.S. parts. 386,000 includes jobs created through direct/dealer/supplier employee spending (2005 Center for Automotive Research study). ©2005

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